

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35725 of 2023**

Arising Out of PS. Case No.-257 Year-2022 Thana- KISHANPUR District- Supaul

GANESH YADAV S/O RAM KISHUN YADAV R/O Village- Phulwariya,  
P.S. Kishunpur, Dist. Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      30-08-2023                      Heard Mr. Pramod Mishra, learned Counsel for the  
petitioner and learned APP for the State.

The petitioner is an accused in connection with Kishunpur P.S. Case No. 257 of 2022 registered for the offences under sections 363, 365, 498(A) and 34 of the Indian Penal Code and later on sections 302 and 201 of the Indian Penal Code has been added lodged on 09.10.2022 by the informant, Mundrika Devi @ Munni Devi.

As per the prosecution story, the wife-informant has alleged that his husband (petitioner) took their seven years old son outside and later returned in the mid-night stating that he is missing, the lady suspected that behind his missing, hand of the petitioner is there. Accordingly, the FIR lodged.

Subsequently during investigation, it came to light



that the petitioner took his child and after roaming for some time, threw him in the '*Kosi*' river. The dead body was recovered and the cause of death has been found to be drowning.

Learned APP for the State has pointed out that as per the investigation, the petitioner had the reason for killing him inasmuch as he suspected that the lady had illicit relationship and the child/victim was not his own son.

Considering the kind of allegation that has come against the petitioner, no relief can be granted to him as the seven years old innocent child has lost his life.

The bail application stands rejected.

In view of the fact that the petitioner is in custody since 12.10.2022, the Trial Court is directed to expedite the trial and conclude the same within a period of one year.

**(Rajiv Roy, J)**

Neha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

