

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12864 of 2024

Arising Out of PS. Case No.-182 Year-2023 Thana- KONCH District- Gaya

Shiv Kumar @ Shi Yadav @ Shi Kumar @ Shiv Yadav S/O Suresh Yadav @
Shiv Yadav R/O Village- Bedauli, P.S- Konch, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Adv.

For the Opposite Party/s : Mr.Shantanu Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Konch
P.S. Case No. 182 of 2023 instituted for the offences under
Section 304/34 of the Indian Penal Code.

3. As per prosecution case, the allegation against the
petitioner is that he along with other co-accused persons has
killed the wife of the Informant with an intention to earn money.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case mere on suspicion and anger. The petitioner has no
concern with the running hospital and has been made accused in
this case for being the owner of the house wherein the clinic was



running. He has further stated that the Informant has also decided to compromise the case after taking Rs. 2,30,000/- from the accused side for settling the dispute outside court. Charge-sheet has been submitted in this case. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 27.08.2023.

5. Learned counsel for the petitioner again submits that the co-accused Chandan Kumar and Arunjay Kumar have been granted bail by a Co-ordinate Bench of this Court vide orders dated 15.02.2024 and 26.02.2024 passed in Cr. Misc. Nos. 5464 of 2024 and 7673 of 2024 respectively.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent and the fact that the claim for bail being based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Konch P.S. Case No. 182 of 2023.



The court below is also directed the expedite the trial and
conclude the same as early as possible.

(Rudra Prakash Mishra, J)

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