

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40553 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- TEKARI District- Gaya

Shiv Kumar Prasad @ Sheo Kumar Singh @ Diwali @ Diwali Singh S/o Late
Raghubir Singh Resident of village- Noni, PS- Tekari, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena, Adv.

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

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

ORAL ORDER

4 09-09-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Tekari
P.S. Case No. 47 of 2025 instituted for the offences under
Sections 127(1), 127(2), 115(2), 85, 87, 61 of the Bhartiya
Nyaya Sanhita, 2023 and Section 3/4 of the D.P. Act.

3. As per prosecution case, the accusation against the
accused persons is of committing murder of the informant's
daughter on account of non-fulfillment of dowry demand. The
allegation has been made against the petitioner of being
involved in concealment of the dead body of the deceased.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case due to family rival. The petitioner is not named in the F.I.R. and his name has surfaced in this case on the basis of the confessional statement of the co-accused Satendra Prasad who is the father-in-law of the deceased recorded before the police which has no evidentiary value in the eye of law. The petitioner is the Agua/relative of both the parties and marriage was solemnized between the parties. The petitioner was not present at the time of concealment of dead body of the deceased. The petitioner has no criminal antecedent and is languishing in judicial custody since 30.01.2025 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The petitioner has been made accused in this case on the basis of C.D.R. He further submits that there is specific and direct allegation of participation in the concealment of dead body of the deceased. The police has also recovered the dead body of the deceased on the disclosures made by the petitioner. The Investigating Officer, after completion of investigation, has submitted charge-sheet finding the case true against the



petitioner for offence under Sections 80/238/61(2) of the B.N.S.,
2023.

6. Having heard learned counsel for the parties and in
the facts and circumstances of the case and keeping in view the
nature of allegation and gravity of the offence alleged as also
taking into account the materials available in the case diary, this
Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner,
above named, is rejected with a direction to the court below to
expedite the trial and conclude the same expeditiously
preferably within a period of five months from today. If the trial
is not concluded within the period of five months as stated
above, the petitioner will be at liberty to renew his prayer before
the court below.

(Rudra Prakash Mishra, J)

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