

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74172 of 2024**

Arising Out of PS. Case No.-205 Year-2021 Thana- BARACHATTI District- Gaya

Shiv Kumar @ Shiv Prasad @ Bhola Yadav son of Late Chhatar Yadav  
Resident of Village- Itahari P.S. -Mohanpur District -Gaya

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

4      16-04-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Barachatti (Mohanpur) P.S. Case No. 205 of 2021 dated 28.03.2021 registered for the offences punishable u/ss 302 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant's sister and nephew who happens to be wife and son of the petitioner were throttled at the petitioner's house.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the husband of the deceased and



he has no concern with the alleged offence. Learned counsel has further submitted that on the alleged date of occurrence, the deceased along with her son was doing work in the field and while crossing the main road, both the persons met with an accident and died on the spot. The petitioner's family members had informed the informant about the said incident. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 07.04.2021.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the specific allegation is against the petitioner who killed his wife and son after 15 to 16 years of marriage. Learned counsel has further submitted that from perusal of the case diary in paras 1, 2, 3, 5, 8, 9, 10, 32, 61, 62, 65 and post-mortem report, it transpired that the deceased Muniya Devi and Abhishek Kumar who were the wife and son of the petitioner, were strangled to death.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of offence is against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.



7. Learned trial court is directed to expedite the trial  
and conclude the same at the earliest.

8. The application stands rejected.

**(Chandra Prakash Singh, J)**

Gautam/-

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