

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31042 of 2020**

Arising Out of PS. Case No.-34 Year-2013 Thana- KHUTAUNA District- Madhubani

1. DHANUSHDHARI YADAV @ DHANUKDHARI YADAV S/o Late Fudan Lal Yadav R/o Village- Ekdara, P.S.- Khutauna, District- Madhubani.
2. Prakash Yadav S/o Dhanusdhari Yadav R/o Village- Ekdara, P.S.- Khutauna, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      25-01-2021                      Heard learned counsel for the petitioners, learned APP as well as learned counsel for the informant.

Petitioners seek bail in Khutauna P.S. Case No.34 of 2013 registered under Sections 341, 323, 324, 307, 326, 504 and 34 of the IPC. Later on, Section 302 of the I.P.C. was added after death of the informant.

The informant made specific allegation that both the petitioners along with others came at his darwaza. Sheodhari Yadav and Prakash Yadav caught the informant. Dhanukdhari Yadav (petitioner no.1) is alleged to have sprinkled kerosene oil and Prakash Yadav (petitioner no.2) is alleged to have ignited fire in the body of the informant. The informant himself made statement before the police and the same became Dying Declaration. The prayer for bail of the petitioner was earlier rejected by this court vide order dated 02.03.2020 passed in



Cr.Misc.No.42421 of 2019.

Learned counsel for the petitioners submits that the petitioners are in jail since 19.02.2019.

It appears that there is specific allegation against both the petitioners that one sprinkled kerosene oil and another ignited fire in the body of the informant, who subsequently died. It is also pointed out that petitioner no.1 again, during pendency of the bail petition, filed another bail petition being Token No.46907 of 2020.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within nine months from the date of receipt of this order.

The S.P., Madhubani is directed to ensure the presence of the prosecution witnesses in the court so that the trial must be concluded within nine months.

Let a copy of this order be sent to the trial court as well as the S.P., Madhubani for information and needful.

**(Prabhat Kumar Jha, J)**

Harish/-

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