

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24203 of 2024

Arising Out of PS. Case No.-15 Year-2022 Thana- RAJNAGAR District- Madhubani

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DANI LAL YADAV @ DANI YADAV Son of Late Bangtu @ Banktu @ Jagadish Yadav @ Kameshwar Yadav Resident of Village- Pilakhwar, P.S.- Rajnagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Ugranath Mallik, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 4 26-04-2024 1. Heard learned Senior counsel for the petitioner and learned APP for the State.
2. The petitioner has renewed his prayer for grant of regular bail in connection with Rajnagar P.S. Case no. 15 of 2022, registered under sections 307, 147, 148, 149, 341, 506, 504, 323, 324, 325, 326, 427 and 379 of the Indian Penal Code and section 27 of the Arms Act to which section 302 of the Indian Penal Code was added subsequently.
3. The earlier application for bail of the petitioner was rejected on two occasions, the last being vide order dated 6.10.2023.



3. As per the prosecution case, the petitioner along with one another are said to have resorted to indiscriminate firing resulting in the brother of the informant getting gunshot injury in his chest and having died.

4. Learned Senior counsel appearing for the petitioner submits that it is the third attempt for grant of regular bail and the last order of rejection is dated 6.10.2023 passed in Cr. Misc. no. 57033 of 2023. In spite of the petitioner being in custody since 10.2.2022, there is no progress in the learned trial Court and there is no chance of the trial concluding in the near future. The petitioner undertakes to cooperate in the trial.

5. The application for bail is opposed by learned APP for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 5.4.2024 of the learned Additional District & Sessions Judge-V, Madhubani, charge has not been framed in the learned trial Court and the case is pending for hearing on discharge petition.

7. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R, the direct allegation against this petitioner of having resorted to indiscriminate firing as a result of which the brother of the



informant sustained gunshot injury in his chest and died, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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