

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44226 of 2024

Arising Out of PS. Case No.-90 Year-2020 Thana- ISMAILPUR District- Bhagalpur

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Tufani Yadav @ Tufna Yadav @ Ramesh Yadav Son of Naigar Yadav @
Nengar Yadav @ Nagendra Yadav @ Nageshwar Yadav Resident of village -
Chapar, Police Station - Gopalpur (Rangara), District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajnish Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 03-12-2024 Heard Mr. Rajnish Kumar Singh, learned counsel

for the petitioner and Mrs. Sucheta Yadav, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
20.12.2021, in connection with Ismailpur P.S. Case No.90 of
2020, FIR dated 17.11.2020 for the offences punishable under
Section 302 of the Indian Penal Code, Sections 25(1-B)a, 26, 35
and 27 of the Arms Act .

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 30.08.2023 passed in Cr. Misc. No.
47753 of 2023.

4. Learned counsel for the petitioner outrightly
submits that the petitioner is not named in the FIR, the name of



the petitioner has been transpired during the investigation on the basis of the confessional statement of the co-accused person. The petitioner is rotting in judicial custody since 20.12.2021.

5. Vide order dated 18.10.2024, a report with regard to the present status of the trial was called for. Report of the learned Trial Court dated 14.11.2024 reveals that out of eleven charge-sheet witnesses, six witnesses have already been examined.

6. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

7. Considering the acquisition against the petitioner as well as the report of the trial Court, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 395 of 2022 arising out of Ismailpur P.S. Case No. 90 of 2020, pending in the Court of learned Additional District Judge, I, Naugachia.

8. Prayer is refused.

9. However the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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