

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54309 of 2024

Arising Out of PS. Case No.-143 Year-2023 Thana- FATUA District- Patna

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Dinesh Yadav Son of Munna Yadav R/o Nishibu Chak, P.S.- Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Yadav, Advocate
For the State : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-09-2024 Heard Mr. Ganesh Prasad Yadav, learned counsel

for the petitioner and Ms. Pushpa Sinha, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
21.02.2023, in connection with Session Trial No. 1219 of 2023
arising out of Fatuha P.S. Case No. 143 of 2023, FIR dated
20.02.2023 for the offences punishable under Sections 302 and
34 of the Indian Penal Code.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 11.09.2023 passed in Cr. Misc. No.
46930 of 2023.

4. Learned counsel for the petitioner submits that
the petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



charge has been framed against the petitioner on 07.02.2024 but the trial is not in progress. The petitioner is rotting in judicial custody since 21.02.2023.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that during the investigation it has come in paragraph no.38 of the case diary that blood sustained shirt, towel and lungi of the petitioner were recovered which prima facie suggests that the petitioner was involved in the present crime in question and apart from that a number of witnesses in paragraph nos. 14, 15 & 25 of the case diary have supported the case of the prosecution and the police after investigation submitted charge-sheet against the petitioner suggesting that the petitioner was involved in the present crime in question.

6. Vide order dated 02.08.2024, a report with regard to the present status of the trial was called for. Report of the learned Trial Court dated 02.08.2024 reveals that charge has been framed against the petitioner on 07.02.2024 under Section 302 and 34 of the Indian Penal Code and learned APP has been requested to produce the witnesses.

7. Considering the facts and circumstances of the case as well as the allegation in the FIR and the material has



come during the investigation, I am not inclined to enlarge the petitioner on bail in connection with Session Trial No. 1219 of 2023 arising out of Fatuha P.S. case No. 143 of 2023 pending in the Court of learned Additional Sessions Judge-I, Patna City.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

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