

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79757 of 2023

Arising Out of PS. Case No.-399 Year-2021 Thana- MURLIGANJ District- Madhepura

Dharmendra Kumar @ Keshav Yadav Son Of Umesh Yadav Resident Of
Village - Naulakhi, Police Station - Janki Nagar, District - Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-01-2024 Heard Mr. Uday Chand Prasad, learned counsel
for the petitioner and Mr. Bhanu Pratap Singh, learned A.P.P. for
the State.

2. The petitioner seeks bail in connection with
Sessions Trial No.294 of 2022 arising out of Murliganj P.S.
Case No. 399 of 2021, FIR dated 17.11.2021 for the offences
punishable under Sections 394, 302 and 34 of the Indian Penal
Code and Section 27 of the Arms Act.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 05.04.2023 passed in Cr. Misc. No.
59161 of 2022.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and he has falsely been implicated in
the present case. He further submits that the petitioner has not



committed any offence as alleged in the FIR. He submits that the other accused persons have been granted bail different Co-ordinate Benches of this Court vide order dated 28.09.2022 passed in Cr. Misc. No. 16283 of 2022 and vide order dated 22.05.2023 passed in Cr. Misc. No. 19879 of 2023.

5. Vide order dated 08.12.2023, a report with regard to the present status of the trial was called for. Report of the learned Trial Court dated 12.12.2023 reveals that out of six charge-sheeted witnesses, one witness has been examined and five prosecution witnesses are still to be examined.

6. Learned APP for the State vehemently opposed the prayer for bail of the petitioner and submits that from bare perusal of the FIR it appears that there is direct allegation against the petitioner that he has fired upon the victim and the victim had died.

7. Considering the facts and circumstances of the case as well as the report of the trial Court and the nature of the allegation in the FIR, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No.294 of 2022 arising out of Murliganj P.S. Case No. 399 of 2021 pending in the Court of Additional District and Sessions Judge-I, Madhepura.

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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