

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8905 of 2025

Arising Out of PS. Case No.-173 Year-2021 Thana- SAUR BAZAR District- Saharsa

Sanjeev Yadav @ Sanjeev Kumar Son of Sadanand Yadav Resident of
Village-Kanp (Purvi) Thengha Ward No. 3, P.S- Sour Bazar, District -Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 12-09-2025

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no.63 of 2022, arising out of Sour Bazar P.S. Case no.173 of 2021 registered under sections 302, 307, 147, 148, 149, 341, 323, 324, 325, 326 and 120B of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, it is stated that as a result of the order given by one Vidyanand Yadav the accused persons including the petitioner herein resorted to firing as a result of which Jaikrishna Yadav sustained firearm injury and subsequently died.

4. It is submitted by learned counsel for the petitioner that the earlier applications for bail of the petitioner were



rejected vide orders dated 19.12.2022 passed in Cr. Misc. no.11369 of 2022, dated 13.10.2023 passed in Cr. Misc. no.64100 of 2023 and dated 12.7.2024 passed in Cr. Misc. no.28851 of 2024. It is submitted that inspite of the petitioner having remained in custody since 13.7.2021 and the directions of this Court on several occasions, the trial of the petitioner has still not concluded. The other co-accused whose case stands on a similar footing to that of the petitioner has been enlarged on bail. The petitioner undertakes to cooperate in the trial.

5. The application for bail is opposed by learned A.P.P. for the State who submits that besides the petitioner being the assailant of the deceased, as per instructions received, 14 witnesses including both the Investigating Officers as also the three doctors in the case have been examined on behalf of the prosecution. The case is fixed for the State to produce the inquest report. The trial is expected to conclude very soon.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 2.8.2025 of the learned District and Additional Sessions Judge-III, Saharsa, 14 witnesses including the two Investigating Officers have been examined. The State has been granted time to produce the inquest report which was not available in the case diary/charge-



sheet and for the same letters have been written to the Superintendent of Police, Saharsa as also the Civil Surgeon, Saharsa. The next date in the case is 5.8.2025.

7. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R. wherein the petitioner is said to be the assailant of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. In view of the fact that the letters for production of the inquest report have been sent by the State to the Superintendent of Police, Saharsa (Letter no.2000 dated 30.7.2025) and the Civil Surgeon, Saharsa (Letter no.2001 dated 30.7.2025), let a copy of this order also be communicated to the Superintendent of Police, Saharsa and the Civil Surgeon, Saharsa for expeditious transfer of the inquest report to enable early conclusion of the trial preferably within a period of three months.

(Partha Sarthy, J)

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