

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26022 of 2024

Arising Out of PS. Case No.-271 Year-2014 Thana- KHAJEKALA District- Patna

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Dharmendra Yadav @ Dharmendra Kumar Yadav Son of Rameshwar Yadav
Resident of Mohalla- Rai Jay Krishna Road, Gurhatta, Bakhshi, P.S.-
Khajekalan, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

9 05-03-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Khajekalan P.S. Case No.271 of 2014 registered under Sections
147, 148, 149, 324, 307, 379, 302, 120(B) of the Indian Penal
Code and under Section 27 of the Arms Act.

3. As per prosecution case, the petitioner along with
other co-accused persons have gunned down the husband of the
informant by entering her cattle house due to previous enmity
and also caused gunshot injury to her staff at Khatal (cattle
house).

4. Learned senior counsel for the petitioner submits
that this is the second bail petition filed on behalf of the



petitioner. Earlier the prayer for bail of the petitioner had been rejected by this Court vide order dated 30.01.2024 passed in Cr.Misc.No.68781 of 2023 with liberty to renew his prayer for bail on fresh ground, if any, and on the basis of material available during his trial after framing of charge. He further submits that charge has been framed and two witnesses have been examined. Petitioner is in custody since 18.05.2023 and trial is not progressing. Accordingly, the petitioner may be granted bail.

5. Learned A.P.P. for the State has opposed the prayer for bail stating that there is direct allegation of firing upon the deceased against the petitioner and earlier petitioner was absconding. Now, the trial is going on. It is further submitted that there is no fresh ground for reconsideration of bail, therefore, the prayer for regular bail of the petitioner may be rejected.

6. Having considered the facts and circumstances of the case and the fact that no fresh ground for reconsideration of bail has been made out by the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is rejected.

7. However, learned trial Court is expected to



expedite the trial of the case.

(Sunil Dutta Mishra, J)

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