

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25216 of 2025

Arising Out of PS. Case No.-496 Year-2023 Thana- KAUWAKOL District- Nawada

Pawan Yadav Son of Rajendra Yadav @ Rajo Yadav R/O Village -
Bhorambagh, P.S.- Kowakole, District - Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Adv. Mr. Sarvottam Kumar, Adv.
For the State	:	Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 09-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.T.
No. 701 of 2023 arising out of Kowakole P.S. Case No. 496 of
2023 registered for the offences punishable under Sections
302/34 of the IPC.

3. As per prosecution case, there is specific allegation
against the petitioner who assaulted the informant's son by
means of iron rod as a result of which he sustained head injury
and during course of treatment he died.

4. Learned counsel for the petitioner submits that bail
of the present petitioner has already been rejected on merit vide
order dated 09.08.2024 passed in Cr. Misc. No. 17383 of 2024.



He further submits that petitioner is in custody since 26.08.2023 and up till now trial has not been concluded and delay of trial is not attributable to the present petitioner. He further submits that there is no allegation of repetition of blow on the head of victim who has died during course of treatment. Petitioner bears no criminal antecedent. Hence, petitioner deserves bail.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that bail prayer of the petitioner has already been rejected on merit. He further submits that there is specific allegation against the petitioner who assaulted the informant's son by means of iron rod who sustained head injury which is corroborated by the postmortem report. Learned APP has produced letter no. 253 dated 08.05.2025 of Superintendent of Police, Nawada and submitted that statement of accused under Section 313 of the Cr.P.C. has already been recorded and now, trial is at the fag end and at this stage, petitioner does not deserve bail.

6. A report regarding stage of trial has been sought by this court and in pursuance of the said direction, the trial court vide letter no. 28/ 2025 dated 30.04.2025 has sent its report which reveals that charge has been framed on 06.04.2024 and altogether eight prosecution witnesses have been examined



including all five charge-sheeted witnesses. Prosecution evidence was closed on 22.04.2025 and case has been fixed on 02.05.2025 for recording statements of accused under Section 313 Cr.P.C. Further trial court report reveals that one month time will be suffice to conclude the trial.

7. Considering the facts and circumstances of the case, particularly keeping in view that earlier bail prayer of the petitioner has been rejected on merit as well as report of trial court, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner is hereby rejected.

8. However, the trial court is directed to expedite the trial and conclude the same as early as possible.

(Alok Kumar Pandey, J)

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