

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28654 of 2025

Arising Out of PS. Case No.-35 Year-2021 Thana- BELDOUR District- Khagaria

Ram Krishan Yadav @ Ramu Yadav @ Ramo Yadav, S/O Mafat Lal Yadav,
Resident of Village- Sakroharam, P.S.- Beldour, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Singh, Advocate
		Mr. Deepak Kumar Singh, Advocate
For the Opposite Party/s :		Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 26-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner in this case has made a second attempt to obtain regular bail in connection with Beldaur P.S. Case No. 35 of 2021 registered for the offences punishable under Sections 147, 148, 149, 448, 323, 326, 307, 302, 379 and 506 of the Indian Penal Code and Section 27 of the Arms Act. He has got seven criminal antecedents as stated in paragraph '3' of the application.

3. Earlier the prayer for bail of the petitioner was rejected vide order dated 25.10.2024 passed in Cr. Misc. No. 80902 of 2023. He is in custody since 31.08.2022.

4. As per the prosecution story, on 18.02.2021 at about 01:00 PM, eight accused persons along with 5-6 unknown accused persons armed with deadly weapons came at the house of the informant and threatened the informant to withdraw the case. The informant and his family members hide themselves in a room.



Ramkrishna Yadav (the petitioner), Balkrishna Yadav and Dharo Yadav fired with country-made pistol which hit the abdomen of the informant's mother. When informant's uncle came to rescue her, the accused persons fired upon him also as a result of which he sustained injury in his leg. Accused persons assaulted informant's mother with rod due to which her leg got injured. Further, accused persons assaulted family members of the informant with lathi/danda. It is alleged that mother of the informant died in course of treatment. Earlier accused persons had committed murder of informant's nephew and to threaten the informant to withdraw that case, accused persons has committed this occurrence.

5. Learned counsel for the petitioner submits that earlier the prayer for bail of the petitioner was rejected by this Court for the reason stated in the order dated 25.10.2024 by noticing that the trial against the petitioner has been delayed only because he did not submit himself to the jurisdiction of the court for a long time.

6. It is submitted that now that the petitioner has remained in incarceration for over three years, he would deserve privilege of regular bail during pendency of the trial.

7. Learned APP for the State, however, submits that it is one of those cases in which release of the petitioner, at this stage, would be a miscarriage of justice as the prosecution witnesses are still being examined and as per the trial court's report only two witnesses have been examined.



8. Attention of this Court has been drawn towards the facts recorded in this Court’s order dated 25.10.2024 in paragraph ‘7’. It is submitted that the petitioner was an accused in the murder case of the son of the deceased of this case. This Court has taken note of the fact that the petitioner was absconding in this case for a long time. This Court has taken note of the fact that the petitioner was pressurizing for withdrawal of the case from the informant.

9. Having regard to the submissions noted hereinabove, noticing the fact that the petitioner was an accused in the murder of the son of the deceased and the informant’s mother has been killed as the informant was not ready to compromise the first case, in the nature of the occurrence and the criminal antecedents of seven cases which are of serious nature, this Court would not release the petitioner only on the ground of his period of incarceration in the facts of this case.

10. The prayer for regular bail of the petitioner is refused.

11. This application stands dismissed.

(Rajeev Ranjan Prasad, J)

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