

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53697 of 2025

Arising Out of PS. Case No.-371 Year-2022 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Raj Kumar Yadav S/o Nanku Yadav R/o Vill.- Mahkhar, Ward No.11, P.S. -
Bakhtiyarpur, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate
For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 12-09-2025 1. Heard learned counsel for the petitioner and learned
A.P.P for the State.
2. The petitioner has renewed his prayer for grant of
regular bail in connection with Sessions Trial no.243 of 2023,
arising out of Bakhtiyarpur P.S Case no.371 of 2022 registered
under sections 302, 307, 506, 504 and 34 of the Indian Penal Code
and sections 25(1-B)(a), 26, 27 and 35 of the Arms Act.
3. As per the prosecution case, the informant states that
Raj Kumar Yadav ie the petitioner herein and Banti Sharma
resorted to firing. The shot fired by Banti Sharma hit the
informant's husband in his stomach while the shot fired by the
petitioner in his chest. He further stated that Nanku Yadav fired
three shots on the chest of the husband of the informant and one



shot in his head as a result of which he died.

4. Learned counsel appearing for the petitioner submits that the earlier application for bail of the petitioner was rejected vide order dated 7.3.2024 (Annexure-P/1) passed in Cr. Misc. no.77525 of 2023. In spite of the petitioner having remained in custody since 23.9.2022, the trial is still not over. He undertakes to cooperate in the trial. With respect to the report received from the learned Court below, it is submitted by learned counsel for the petitioner that so far as this petitioner is concerned, his defence evidence has been closed and on the ground of examination of defence evidence of the other five accused persons, he is unnecessarily being detained in custody.

5. The application for bail is opposed by learned A.P.P for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 7.8.2025, the case is pending for defence evidence on behalf of other five accused persons.

7. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner of having fired at the husband of the informant hitting him in the chest as a result of which he died, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



8. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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