

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54747 of 2025

Arising Out of PS. Case No.-197 Year-2023 Thana- SAHAR District- Bhojpur

Rajeshwar Yadav @ Chhotak Yadav, S/o- Shivpukar Yadav, Resident of village- Godihan, P.S.- Sahar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv. Mr. Raju Kumar Singh, Adv.
For the State	:	Mr. Brajendra Nath Pandey, APP
For the Informant	:	Mr. Shiv Prasad Gupta, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 19-09-2025 Heard Mr. N.K. Agarwal, learned senior counsel for the petitioner, Mr. Brajendra Nath Pandey, learned APP for the State and Mr. Shiv Prasad Gupta, learned counsel for the informant.

2. Petitioner seeks regular bail in connection with Sahar P.S. Case No. 197 of 2023 dated 24.12.2023 registered for the offences punishable under sections 302 and 120B of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution story, the informant alleged that on 23.12.2023 at about 7:00 P.M., when he was sitting in his *dalan* with his son, the petitioner, along with other co-accused persons and 3 to 4 unknown person, came and started abusing them. It is further alleged that co-accused Rohit Yadav instigated others, upon which, the petitioner fired at his son,



owing to which, his son succumbed to his injuries.

4. The main submissions advanced by petitioner's counsel are that this is the second attempt of the petitioner to get the relief of bail and his first prayer for the same relief was rejected by this Court on merit vide order dated 17.01.2025 passed in Cr. Misc. No. 81097 of 2024 and the fresh grounds taken by the petitioner for renewing his prayer are his custody period, which has been about one year and eight months, and secondly, there is no significant progress in his trial.

5. Learned counsel appearing for the informant has vehemently opposed the bail prayer of the petitioner and submits that the petitioner is the main assailant and the instant matter relates to murder and the victim was murdered by gun shot injury.

6. Learned APP for the State has also opposed the prayer of the petitioner.

7. Heard both the sides and perused the relevant materials including the status report of the trial of the petitioner sent by the trial court. Though the petitioner has been languishing in jail since 25.01.2024 and there is no significant progress in his trial, however, considering the seriousness of the allegation appearing against him from the FIR, this Court is not



persuaded to take a different approach from the one taken earlier. Accordingly, his prayer stands rejected.

8. The trial court is directed to expedite the trial of the petitioner. The petitioner may renew his prayer after the examination of the material non-official witnesses.

(Shailendra Singh, J)

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