

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73844 of 2025

Arising Out of PS. Case No.-65 Year-2015 Thana- AMAS District- Gaya

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Dhiru Yadav @ Dhanukdhari Yadav @ Dhiraj Yadav @ Dhanush Dheeraj @
Dhanuk @ Dhanukdhari Dhanuk S/o Bangali Yadav R/o Village - Paharpur,
P.S - Amas, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 02-12-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Amas P.S.
Case No. 65 of 2015 instituted for the offences under Sections
147, 148, 149, 302 of the Indian Penal Code, Section 27 of the
Arms Act and Section 17 of the CLA Act.

3. Petitioner had earlier approached this Hon'ble Court
for grant of bail in Cr. Misc. No. 77797 of 2019, which was
rejected vide order dated 17.03.2020 passed by coordinate
Bench. Thereafter, the petitioner again moved for bail in Cr.
Misc. No. 19911 of 2021, which too was rejected vide order
dated 28.01.2022 passed by a different coordinate Bench.
Subsequently, the petitioner preferred Cr. Misc. No. 57117 of



2022 for grant of bail, which was rejected vide order dated 04.09.2023 passed by Hon'ble Mr. Justice Sunil Kumar Panwar with a direction that, if the trial is not concluded within nine months, the petitioner may renew his prayer for bail. Thereafter, the petitioner again approached this Hon'ble Court in Cr. Misc. No. 68733 of 2024, which was rejected vide order dated 03.12.2024 passed by this Bench with an observation that the petitioner shall be at liberty to renew his prayer for bail if the trial is not concluded within six months from the date of the order.

4. In compliance of the order dated 17.10.2025 a report dated 31.10.2025 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that there are total thirteen charge-sheeted witnesses and out of them, seven witnesses have been examined. It is further reported that rest six witnesses are yet to be examined and for which warrant have also been issued against them.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 29.06.2019 without any rhymes or reason.

6. Learned APP for the State opposes the prayer for grant of bail. Learned APP for the State relied upon a decision



of the Hon'ble Apex Court reported in **2024 SCC OnLine SC 3539 (X. vs. State of Rajasthan & Anr.)**, wherein in paragraph no. 14, the Hon'ble Apex Court has held as under:

“14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court, be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.”

7. There is no fresh ground to consider the bail petition of the petitioner. From the aforesaid report, it appears that the trial is going on and is at an advance stage.

8. In view of the above, the prayer for bail of the petitioner is again rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of four months from today. If the trial is not concluded within the period of four months, as stated above, the petitioner will be at liberty to renew his prayer before the court below.

9. The District Magistrate, Gaya and the Superintendent of Police, Gaya are also directed to produce the witnesses before the learned court below as and when required



for the expeditious conclusion of the trial within the stipulated time.

10. Let a copy of this order be communicated to the District Magistrate, Gaya and the Superintendent of Police, Gaya.

(Rudra Prakash Mishra, J)

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