

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80855 of 2024

Arising Out of PS. Case No.-416 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Raushan Yadav @ Raushan Raj Son of Late Ramanand Yadav R/O-Village-
Belahi, Chiraiya O.P., PS -Salkhua, Distt.- Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Singh, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 21-11-2025 Heard learned counsel for the petitioner, learned

counsel for the State and learned counsel for the informant.

2. This is the 2nd attempt of the petitioner for grant of
bail in connection with K. Asthan P.S. Case No. 416 of 2022
registered for the offence under Section 302, 120(B), 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. Earlier the bail application of the petitioner was
rejected on 19.03.2024 in Cr. Misc. No. 84674 of 2023, the
order dated 19.03.2024 reads as under:

*Heard learned counsel for the petitioner and
learned APP for the State.*

*2. The petitioner seeks bail in connection with
K. Asthan P.S. Case No. 416 of 2022 registered for the
offence under Sections 302, 120B, 34 of the Indian Penal
Code and under Section 27 of the Arms Act.*

3. As per the prosecution case, the petitioner



alongwith other accused persons is named in the FIR. The accused persons are said to have dragged the deceased namely Vinod Mukhiya and shot him in his head, eyes, chest, leg and hand.

4. Nine injuries have been found on the dead body of the deceased.

5. The petitioner is in jail since 13.09.2023.

6. Learned counsel for the petitioner submits that the petitioner is witness in the murder of Rajendra Yadav and Ramanand Yadav and therefore he has falsely been implicated in this case and he stays at a distance of 130 Kms. from the village of the informant.

7. Learned counsel for the petitioner submits that wife of the petitioner has filed an application before the Super- intendent of Police, Darbhanga and the I.O. of the case for putting the petitioner on T.I. Parade as she claims that the informant does not know the petitioner.

8. Learned APP for the State has vehemently opposed the application of the petitioner for grant of regular bail by contending that this is a case of brutal murder and the petitioner is one of the assailants of the deceased and the post-mortem report also supports the prosecution case.

9. Since the petitioner has been named in the FIR as an assailant of the deceased, there is no occasion of



putting him on T.I. Parade.

10. Considering the direct allegation against the petitioner of participating in a brutal murder of the deceased, this Court is not inclined to grant bail to the petitioner.

11. Accordingly, this application is dismissed.

12. The Court below is directed to expedite the trial of the petitioner and conclude the same at the earliest.

4. The learned APP for the State submits that the I.O and doctor are only left to be examined.

5. In these circumstance, I am not inclined to grant regular bail to the petitioner. Accordingly, this application for regular bail is hereby rejected. If the trial is delayed by the prosecution, the petitioner may renew his prayer for bail.

6. It has been submitted by the learned APP, Shri Jharkhandi Upadhyay that the witnesses are afraid of the accused persons and therefore, they need protection. If such is the case, the S.S.P, Darbhanga will see to it that the remaining witnesses are provided proper security for appearance of the witnesses before the court below.

(Sandeep Kumar, J)

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