

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84837 of 2024

Arising Out of PS. Case No.-15 Year-2022 Thana- RAJNAGAR District- Madhubani

Dani Lal Yadav @ Dani Yadav Son of Late Banktu @ Jagadish Yadav @
Kameshwar Yadav Resident of Village- Pilakhwar P.S.- Rajnagar District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C.Verma, Sr. Advocate
Mr. Ugranath Mallik, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 19-03-2025

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Rajnagar P.S. Case no.15 of 2022 registered under sections 307, 379, 147, 148, 149, 323, 324, 325, 326, 341, 427, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act to which section 302 of the Indian Penal Code was added subsequently.

3. The earlier prayer for bail of the petitioner was rejected on three occasions, the last being vide order dated 26.4.2024.

4. As per the prosecution case, the petitioner along with one another are said to have resorted to indiscriminate firing resulting in the brother of the informant getting gunshot



injury in his chest and having died.

5. Learned Senior counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the case. He has a good case on merits in so far as there is no witness who has stated as to the shot fired by which accused had hit the deceased. The petitioner has remained in custody since 10.2.2022 ie for more than three years and as per instructions received, only two witnesses ie the Investigating Officer and the doctor have been examined. The informant and other witnesses are purposely not appearing in the trial nor deposing therein. The petitioner undertakes to cooperate in the trial.

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

7. A report was called for from the learned trial Court. As per the report received contained in letter dated 22.2.2025 of the District and Additional Sessions Judge VIII, Madhubani, after framing of charge the case was received in the Court of learned Judge on 5.9.2024 and only two witnesses ie the Investigating Officer and the doctor have been examined. As per the report, nine witnesses including the informant and several injured witnesses still remain to be examined and the trial as per the learned Judge is expected to conclude in eight months.



8. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner being one of the two assailants who resorted to indiscriminate firing resulting in gunshot injury to the brother of the informant in his chest and who died, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

9. However, taking into consideration the contents of the report of the learned trial Court according to which in the last six months, only two witnesses on behalf of the prosecution, as stated above, have been examined, liberty is granted to the petitioner to renew his prayer for bail if there is no substantial progress in the learned trial Court in six months.

(Partha Sarthy, J)

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