

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75592 of 2025

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. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 28-11-2025

Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial nos.11 of 2023 and 289 of 2023 (arising out of Rajnagar P.S. Case no. 15 of 2022) registered under sections 307, 147, 148, 149, 341, 506, 504, 323, 324, 325, 326, 427 and 379 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. 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.

4. Learned counsel for the petitioner submits that the earlier prayer for bail of the petitioner was rejected vide orders dated 6.10.2023, 26.4.2024 and lastly by order dated 19.3.2025



passed in Cr. Misc. no.84837 of 2024. It is further submitted that the petitioner has remained in custody since 10.2.2022 and there is absolutely no progress in the trial in the learned trial Court. The petitioner undertakes to cooperate in the trial and to abide by any conditions which may be laid by this Court for his release on bail.

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 14.11.2025 of the learned District and Additional Sessions Judge II, Madhubani, the case is fixed for prosecution evidence where only the Investigating Officer and the doctor have been examined. For appearance of the other prosecution witnesses, non-bailable warrants have been issued.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the repeated directions of this Court to expedite the trial while rejecting the earlier applications for bail, the liberty granted to the petitioner in this Court's order dated 19.3.2025 to renew his prayer for bail in case there was no substantial progress in the learned trial Court in six months, the petitioner having remained in custody



for 3 years and 9 months since 10.2.2022 and the contents of the report of the learned trial Court according to which witnesses on behalf of the prosecution are not appearing inspite of issuance of non-bailable warrants for their appearance, in the facts of the case, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial nos.11 of 2023 and 289 of 2023 (arising out of Rajnagar P.S. Case no. 15 of 2022) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 10th, Madhubani on the following conditions:

(i) The petitioner shall remain physically present in Court on each date of the trial and shall cooperate in the trial.

(ii) In case the petitioner is absent on any single date for reason not to the satisfaction of the learned trial Court and the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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