

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15418 of 2026

Arising Out of PS. Case No.-26 Year-2006 Thana- KAUWAKOL District- Nawada

Vishnudeo Yadav @ Vishundeo Yadav @ Vishundev Yadav @ Vishnudev
Yadav S/o Late Visheshvar Yadav R/o Village- Mananiya Tari, PS- Kawakol,
District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madhu Prasun, Advocate Ms. Renu Kumari, Advocate Mr. Shashikant Kumar, Advocate
For the Opposite Party/s :		Mr. Nand Kishore Prasad, APP
For the O.P. No.2	:	Mrs. Archana Sinha, Sr. Advocate Ms. Richa Rajiv Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 01-05-2026

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with S.Tr. no.699 of 2023 (arising out of Kauwakol P.S. Case no.26 of 2006) registered under sections 302, 307, 324, 326 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, it is stated that the five named accused persons including the petitioner herein came variously armed with firearms. As a result of firing resorted to by the petitioner with his rifle, one Jitendra Kumar received gunshot injuries and subsequently died. In the occurrence, two persons are said to have been killed.



4. Learned counsel for the petitioner submits that the earlier applications for bail of the petitioner were rejected on several occasions, the last being vide order dated 26.3.2025 passed in Cr. Misc. no.7812 of 2025 directing the learned trial Court to expedite the trial. It is further submitted that inspite of the petitioner having remained in custody since 12.7.2023 for almost 3 years, there are several witnesses who still remain to be examined and the trial is nowhere near its conclusion. Learned counsel submits that there are serious contradictions in the deposition of the witnesses insofar as while one witness states that the firing took place with the pistol, the other witness claims the firing to have taken place with a rifle. The petitioner, who is an old man aged about 75 years, is suffering from various medical issues including paralysis. 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 prayer for bail is opposed by learned A.P.P for the State and learned counsel for the informant. Learned counsel for the informant as per oral instructions received submits that out of eighteen chargesheet witnesses, ten have been examined while two are not in a position to depose in the learned Court below because of medical and other issues. Three are reported to have died. It is thus submitted that besides the petitioner being



the sole assailant of the deceased, the trial is near its conclusion.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R of Jitendra Kumar having died as a result of firing resorted to by the petitioner and the trial having proceeded, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

Shiv/-

U			
---	--	--	--

