

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22601 of 2026

Arising Out of PS. Case No.-139 Year-2023 Thana- BASANHI District- Saharsa

Rupesh Yadav @ Rupesh Kumar S/O Sri Gonu Yadav @ Gainu Yadav @
Genu Yadav @ Genoo Yadav R/O Village- Mokma Tola Bijulia, Ward No. 10,
P.S- Basnahi, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-07-2026 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Sessions Trial No. 159 of 2024, arising out
of Basnahi P.S. Case No. 139 of 2023, registered for the offence
punishable under Sections 341, 323, 307, 504 and 506 of the
Indian Penal Code and Section 27 of the Arms Act.

3. This is the second attempt made on behalf of the
petitioner for grant of regular bail, as earlier the prayer for bail
of the petitioner was turned down by this Court in Cr. Misc. No.
69823 of 2024 vide order dated 03.10.2024, considering the
specific nature of accusation of causing fatal blow as also the
criminal antecedent, which runs five in number.



4. Learned Advocate for the petitioner submitted that undoubtedly, the prayer of the petitioner for grant of bail was rejected on merit, but this fact cannot be ignored that the dispute has cropped up on account of a meager money transaction, besides there is delay in lodging of the FIR as also the fact that the petitioner has been languishing in judicial custody since 31.10.2023; and as such, more than two years and seven months have been lapsed.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner is the author of the fatal injury, which led to death of the informant and, moreover, the trial is commenced and out of ten charge-sheet witnesses, four of them have been examined.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the specific nature of accusation of causing fatal blow, besides the criminal antecedent of the petitioner, this Court in not acceded to the prayer of the petitioner. Accordingly, the prayer for bail of the petitioner stands rejected.

7. However, considering the fact that the petitioner is in judicial custody since 31.10.2023, it is expected that the learned trial Court shall take all endeavours to conclude the



trial, as early as possible.

8. It is made clear that if the trial is not concluded within a period of nine months, the petitioner shall be at liberty to renew his prayer for bail.

(Harish Kumar, J)

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