

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26179 of 2026

Arising Out of PS. Case No.-280 Year-2024 Thana- KHAJAULI District- Madhubani

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Dinesh Yadav @ Dinesh Lal Yadav Son of Surya Narayan Yadav @ Surya
Deo Yadav Resident of Village- Chhaparadhi, P.S.- Khajauli, District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 02-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Khajauli P.S. Case No. 280 of 2024 registered for the offence punishable under Sections 103(1), 61(2) and 3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. The case of the prosecution is that the informant, along with his cousin Amresh Kumar Yadav was going on a bike. As they reached near general store of Anil Yadav, three persons on a bike namely, Raja Babu Sharma, Dinesh Yadav and Shatrughan Yadav, reached near them. It is further alleged that Shatrughan Yadav gave the pistol to Dinesh Yadav (the petitioner) and Dinesh Yadav fired at Amresh Yadav. After that,



they fled away. Amresh Yadav succumbed to the injuries.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that in this case similarly situated co-accused Satrudhan Yadav has been granted bail by this Court vide Cr. Misc. No. 44808 of 2025.

5. Learned counsel for the petitioner further submits that a report has also been called for from the learned trial court and from perusal of which it is clear that only charges have been framed and no witnesses have been examined till today. Petitioner is languishing in judicial custody since 24.03.2025.

6. The application for bail is opposed by learned APP for the State and has submitted that from perusal of the post-mortem report, it is clear that the deceased has received two entry wounds. As per allegations, there is direct allegation against the petitioner of firing at the deceased.

7. Learned APP for the State has further submitted that the petitioner is the main assailant in the present case. He has also relied on a judgment of Hon'ble Apex Court in the case of **X Vs. State of Rajasthan & Anr passed in SLP(Criminal) No. 13378 of 2024** wherein in para- '14', Hon'ble Apex Court has held which is being quoted hereunder:-



14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.

8. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail at this stage, however he may renew his prayer for bail after six months if the trial is not concluded.

9. Learned trial court is directed to expedite the trial and to conclude the same within the stipulated period of time.

(Ashok Kumar Pandey, J)

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