

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63495 of 2025

Arising Out of PS. Case No.-216 Year-2023 Thana- BAHADURPUR District- Darbhanga

Rakesh Yadav @ Malinga @ Rakesh Kumar S/o Manoj Yadav R/o Village-
Taralahi, P.S.- Bahadurpur, District- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Shyam Kumar Singh, Advocate Mr. Sharwan Kumar, Advocate
For the State	:	Mr. Prem Kumar Jha, APP
For the Informant	:	Mr. Krishna Prasad Singh, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 10-02-2026 Heard learned counsel for the petitioner, learned
APP for the State and learned Senior Counsel for the informant.

2. This is the second attempt on behalf of the
petitioner for grant of regular bail in connection with
Bahadurpur P.S. Case No.216 of 2023 registered for the offence
under sections 302 and 307/34 of the Indian Penal Code and
under section 27 of the Arms Act.

3. Earlier, the bail of the petitioner was rejected
by this Court vide order dated 02.04.2024 passed in Criminal
Miscellaneous No.19029 of 2024. The aforesaid order dated
02.04.2024 reads as under:-

*“Heard learned counsel for the
petitioner and learned APP for the State.*

2. *This application for grant of*



regular bail arises out of Bahadurpur P.S. Case No.216 of 2023 registered for the offence punishable under sections 302 and 307/34 of the Indian Penal Code and under section 27 of the Arms Act.

3. The petitioner and others are accused of committing murder of a person. The petitioner is accused in two more criminal cases.

4. Learned counsel for the petitioner submits that there is no overt act against the petitioner and he is not named in the F.I.R. and therefore, he deserves bail.

5. During investigation, it has come that the petitioner has actively participated in the crime. The petitioner has blocked the road so that the victim could not escape and thereafter, all the accused persons have killed him.

6. Considering the fact that the petitioner has actively participated in the killing of the deceased because of the earlier dispute, I am not inclined to grant the petitioner privilege of regular bail. Accordingly, this bail application is rejected. If there is no substantial progress in the trial, the petitioner may renew his prayer for bail.

7. The observations made hereinabove are only for the purpose of deciding the present bail application and the same shall not be construed as an expression on the merits of the matter before the trial court.”

4. From the report of the court below, it appears



that the petitioner has filed discharge application twice which have been rejected by the court below.

5. Considering the fact that the trial is proceeding and the petitioner is trying to delay the trial, I am not inclined to review my earlier order dated 02.04.2024. Accordingly, this bail application is dismissed.

(Sandeep Kumar, J)

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