

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78471 of 2025

Arising Out of PS. Case No.-87 Year-2018 Thana- KHAIRA District- Jamui

Darogi Yadav S/O Bodhan Yadav R/O Village - Dudhania, P.S- Sono, District
- Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ankita Kumari

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 30-01-2026 1. Heard the parties.

2. The petitioner has renewed his prayer for regular bail in connection with Khaira P.S. Case No. 87 / 2018 dated 22.02.2018 registered for the offence punishable under section 302 / 34 of the I.P.C. , Section 27 of the Arms Act and Section 16 / 17 / 18 / 19 / 20 / 21 / 22 of the Unlawful Activities Prevention Act, 1967.

3. As per first information report the Police found the dead body of one Dinesh Yadav lying by the road side. Besides the dead body, two pamphlets were also found left by Naxalite group stating that they have taken revenge of arrest of one Suraj Yadav and deceased has been given the death sentence by Jan Adalat. Nine persons including the petitioner are named in the F.I.R.



4. Learned counsel for the petitioner submits that petitioner is in custody in the present case since 10.11.2022 i.e. for the last about three years and two months. The petitioner has been branded as Naxalite by the police due to village politics and in some cases the petitioner has not yet been remanded for which the petitioner has filed criminal writ application before this court. Altogether the petitioner has been made accused in thirty cases of almost similar nature. Learned counsel next submits that nine persons including the petitioner have been made named accused in the first information report out of which six accused have died and three are still in jail including the petitioner. Out of criminal antecedent of the petitioner in thirty cases the petitioner has been granted bail in twenty four cases and in six cases bail is still awaiting. Some of the co-accused who were made accused in the present case during the course of investigation have been granted bail by different Co-ordinate Benches of this court vide Cr. Misc. Nos. 29287 / 2018, 16093 / 2019 & 28510 / 2020 as stated in paragraph no. 11 of the petition.

5. Learned counsel for the State opposed the prayer for bail primarily on the ground that petitioner is a member of Naxalite group and altogether thirty cases are pending against him



relating to Naxal activity.

6. I have heard learned counsel for the parties and have gone through the material on record. This Court by its order dated 26.07.2024 while rejecting the bail application of the petitioner had granted him liberty to renew the prayer for bail after one year if the trial does not record any substantial progress. Vide order dated 14.11.2025 a report was called for from the trial court regarding the present stage of the trial and in pursuance thereof learned District & Additional Sessions Judge 3rd, Jamui has submitted his report vide letter no. 87 dated 29.11.2025 stating therein that charges were framed against the petitioner and others on 16.03.2024 and out of nine charge sheet witnesses none has been examined by the prosecution. From perusal of the earlier order rejecting bail application of the petitioner dated 26.07.2024 it appears that at that stage also report was called for regarding the progress of the trial and similar information was provided that charges have been framed on 16.03.2024 and summons were issued to the charge sheet witnesses. Since last rejection more than one year has elapsed but the situation has remained the same.

7. Considering the period of custody of the petitioner and the fact that trial has not progressed satisfactorily, as such, I am



inclined to grant regular bail to the petitioner.

8. Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs.10,000 /- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Jamui in connection with Khaira P.S. Case No. 87 / 2018 subject to the condition that the petitioner shall remain present on each and every date before the trial court and in case of default on two consecutive dates, his bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

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