

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80075 of 2025

Arising Out of PS. Case No.-206 Year-2021 Thana- MANIHARI District- Katihar

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Dipen Yadav @ Bipin Yadav S/o- Late Parmeshwar Yadav Resident of
Village- Mirzapur, P. S- Manihari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Rajendra Prasad Sah, Advocate
For the State	:	Mr. Anish Chandra, APP
For the Informant	:	Mr. Amit Kumar Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 11-02-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Manihari P.S. Case no. 206 of 2021 registered under sections 302, 147, 148, 149, 364, 201, 307, 386, 387 and 120B of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, over a land dispute between the parties, it is stated that petitioner fired upon the uncle of the informant hitting him in his head. Further co-accused Ram Niwash is said to have fired upon Sunil Yadav as a result of which he fell down.

4. It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case because of pending land dispute between the parties as would be evident from the contents of the FIR itself. From the material that has transpired in course of investigation, the presence of the informant at the place of occurrence is doubtful. Though the trial has commenced, only five witnesses have been examined. The petitioner is in custody since 4.1.2024 and undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that out of the nine prosecution witnesses, seven witnesses have been examined. As per oral instructions received, as a result of one of the co-accused having absconded, the trial has been stalled. There is direct allegation against the petitioner of having fired upon Mahesh Yadav, uncle of the informant, as a result of which he died.

6. Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioner of having fired upon Mahesh Yadav together with the fact that in a case of the year 2021, the petitioner was taken into custody only in the year 2024 and trial having progressed with seven out of nine chargesheet witnesses having been examined,



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)

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