

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89666 of 2025

Arising Out of PS. Case No.-271 Year-2014 Thana- KHAJEKALA District- Patna

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Dharmendra Yadav @ Dharmendra Kumar Yadav S/o Rameshwar Yadav R/o
Mohalla- Rai Jay Krishna Road, Gurhatta, Bakhshi Mohalla, P.S- khajekalan,
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 18-03-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered
for the offences punishable under Sections 191, 191(3), 190,
118(1), 109, 303(2), 103(1), 61(2) of Bharatiya Nyaya Sanhita
and Section 27 of the Arms Act.

3. From perusal of the report of the Trial Court, it
appears that out of 11 prosecution witnesses, only 4 witnesses
have been examined.

4. Learned counsel for the petitioner submits that
earlier the prayer for bail of the petitioner was rejected twice by
this Court firstly *vide* order dated 30.01.2024 in Cr. Misc. No.
68781 of 2023 and secondly *vide* order dated 05.03.2025 in Cr.



Misc. No. 26022 of 2024 with direction to learned Trial Court to expedite the trial of the case. He further submits that the injured witness, namely, Prakash Kumar has not made any allegation against the petitioner and has turned hostile. Out of 11 prosecution witnesses, only 4 witnesses have been examined till date and it is not expected to conclude the trial in near future. Similarly situated co-accused persons, namely, Sumit Yadav and Bablu Gope @ Bablu Yadav have already been granted regular bail by different Co-ordinate Benches of this Court *vide* orders dated 10.07.2019 and 23.10.2019 passed in Cr. Misc. Nos. 19047 of 2019 and 50443 2019 respectively. Petitioner is in custody since 18.05.2023 having no criminal antecedent and he undertakes to co-operate in the trial.

5. Learned A.P.P. for the State opposes the bail application of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, report of the Trial Court that till date, only four witnesses have been examined out of 11 witnesses, injured witness has not made any allegation regarding involvement of the petitioner, similarly situated co-accused persons have been granted bail, clean antecedent of the petitioner and period of custody undergone, let the above named petitioner be released



on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-I, Patna City/concerned Court in connection with Khajekalan P.S. Case No. 271 of 2014 with further conditions:-

(i) Petitioner shall co-operate in the trial and shall remain present on each and every date during trial and in his absence on two consecutive dates, the trial court is at liberty to cancel his bail bond.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sunil Dutta Mishra, J)

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