

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5301 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- Chakia District- Begusarai

Rupesh Kumar @ Kanhaiya @ Rupesh Kanhaiya @ Rupesh Kumar Kanhaiya
Son of Dinesh Kumar Singh @ Dinesh Singh @ Dinesh Kumar Roy Resident
of Village- Simaria, Ward No.- 9, PS- Chakia (Chakia), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 30-04-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Chakia
(Chakiya) P.S. Case No. 02 of 2024 instituted for the offences
under Sections 341, 323, 379, 504, 506, 34 of the Indian Penal
Code.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of taking away the
cloths as well as Rs. 5000-6000/- from the shop of the
informant. It is alleged that on protest, the petitioner fired upon
the informant but, somehow, he managed to escape. It is also
alleged that the accused persons also assaulted the informant by
means of butt of the pistol and iron rods due to which he



sustained severe injuries on his head and right arm.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that in the occurrence, the informant has not sustained any fire-arm injury upon his body and the petitioner has been made accused in this case only because of his criminal antecedent. The petitioner has altogether fourteen criminal antecedents and is languishing in judicial custody since 02.07.2024 without any rhymes or reason. The charge-sheet has been submitted in this case. charge-sheet has been submitted in this case and the charge has also been framed.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. There is a specific allegation against the petitioner of firing upon the informant though the informant managed to escape and did not sustained fire-arm injury. The petitioner has altogether fourteen criminal antecedents of serious nature of offences. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner under Sections 341, 323, 379, 504, 506, 34 of the I.P.C. and Section 27 of the



Arms Act. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence and the fact that the trial is already in progress, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of three months from today. If the trial is not concluded within a period of three months as stated above, the petitioner will be at liberty to renew his prayer for bail before the court below which will be considered and disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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