

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4913 of 2025

Arising Out of PS. Case No.-28 Year-2022 Thana- PIPRA District- Supaul

Mukesh Kumar Son of Umesh Yadav Resident of Village- Kataiya Mahe,
Ward No. 05, P.S.- Pipra, Distt.- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guddi Kumari D/O- Surya Narayan Sutiha Resident of Village- Kataiya Mahe, Ward No. 05, P.S.- Pipra, Distt.- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Pratibha Srivastava, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 20-06-2025 Heard Learned Counsel for the petitioner, Learned Counsel for the informant and Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Pipra P.S. Case No. 28 of 2022, lodged on 28.01.2022, under Sections 326/307/34 of the Indian Penal Code, under Section 27 of the Arms Act and under Section 12 of the POCSO Act.

3. Earlier prayers for bail of the petitioner were rejected twice vide order dated 21.02.2023 passed in Cr. Misc.



No.54288 of 2022 and vide order dated 22.12.2023 passed in Cr. Misc. No.70376 of 2023.

4. Learned Counsel for the petitioner submits that it is third attempt of the petitioner for regular bail. Counsel submits that in the first rejection order dated 21.02.2023 it was directed to the Trial Court to expedite the trial as early as possible and in the second rejection order dated 22.12.2023 it was directed that out of 11 charge sheeted witnesses five witnesses have been examined. Counsel submits that after 22.12.2023, no considerable progress took place in this case and till date only seven witnesses have been examined. Counsel for the petitioner submits that petitioner is in custody since 01.02.2022 and keeping the petitioner in custody shall not solve any purpose.

5. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that there is specific allegation against the petitioner that he has assaulted the victim by gunshot. Counsel further submits that in the rejection order the conduct of the petitioner has been clearly discussed by the Sessions Court as he used to molest the victim. He also submits that there is direct specific material available against the petitioner that she has fired gunshot at the victim as she was not ready to co-ride on the motorcycle. He submits that in the case-



diary there is entry and exit wound found on the body of the victim.

6. Learned Counsel for the State also opposes the prayer for bail of the petitioner and submits that only official witnesses have to be examined.

7. In this view of the matter, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is hereby rejected.

8. But speedy trial is the constitutional vision of justice, therefore, the Superintendent of Police, Supaul, is hereby directed to do the needful either himself or through his S.H.O./I.O. to adduce evidence of rest witnesses in this case within six months from today.

9. Registry is directed to communicate the Superintendent of Police, Supaul, through Email/WhatsApp/Fax or any mode of communication forthwith and one copy of this order be also handed over to the Additional Public Prosecutor so that APP shall also follow up about the communication of this order.

(Dr. Anshuman, J)

Mkr./-

U		T	
---	--	---	--

