

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3172 of 2025

Arising Out of PS. Case No.-134 Year-2024 Thana- TAJPUR District- Samastipur

Raj Kumar Das S/O Guddu Das Resident of village - Chandauli, P.S- Tajpur,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No. II
Ms. Anjana Gupta

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. This application has been filed on behalf of the petitioner for grant of regular bail in connection with Sessions Trial No. 501 of 2024 arising out of Tajpur P.S. Case No. 134 of 2024 registered for the offence under Sections 302, 201/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and others are accused of killing a six year old boy.

4. The petitioner is in jail since 29.04.2024.

5. The trial of the petitioner has started and four witnesses have already been examined.

6. The Hon'ble Supreme Court in the case of *X Vs. State of Rajasthan and Anr.* reported in *2024 SCC OnLine SC 3539* has held as follows:-



“Once the trial commences, it should be allowed to reach to its final conclusion which may either result in the conviction of the accused or acquittal of the accused. The moment the High Court exercises its discretion in favour of the accused and orders release of the accused on bail by looking into the deposition of the victim, it will have its own impact on the pending trial when it comes to appreciating the oral evidence of the victim. It is only in the event if the trial gets unduly delayed and that too for no fault on the part of the accused, the Court may be justified in ordering his release on bail on the ground that right of the accused to have a speedy trial has been infringed.”

7. In view of the aforesaid Judgment of the Hon’ble Supreme Court and in view of the fact that the petitioner is involved in a serious offence of killing a six year old boy, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this application is dismissed.

(Sandeep Kumar, J)

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