

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6604 of 2025

Arising Out of PS. Case No.-259 Year-2023 Thana- AKBARPUR District- Nawada

Roushan Kumar Son of Ramchander Prasad @ Ramchandra Mahto Resident
of Village - Nad Purnadih, P.S. - Akbarpur, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

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

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

ORAL ORDER

4 06-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Akbarpur P.S. Case No. 259 of 2023, ST No. 559 of 2023 instituted for the offences under Sections 365, 420, 376, 34 of the Indian Penal Code.

3. Earlier vide orders dated 10.10.2023 and 25.06.2024 passed in Cr. Misc. No. 49200 of 2023 and Cr. Misc. No. 38885 of 2024 respectively, the prayers for grant of bail to the petitioner was rejected twice. The present application is the third attempt of the petitioner for grant of bail.

4. Accusation against the accused persons including the petitioner is of kidnapping the informant and, thereafter



committing rape upon her.

5. Learned counsel for the petitioner mainly submitted that the petitioner has been languishing in jail since 25.05.2023 and there is no significant progress in the trial. Learned counsel further submitted that charge has been framed against the petitioner and out of seven, five witnesses have been examined and there is no likelihood of conclusion of trial in near future and therefore, petitioner may be released on bail. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. As per the report dated 05.03.2025 sent by the learned court below, the trial is at the stage of prosecution evidence and out of seven witnesses, five have been examined and trial is likely to be concluded in the next three months.

8. Having considered the submissions made on behalf of the parties, this Court finds no fresh ground to reconsider the matter which has already been decided on merit by this Court, as also taking into account the present stage of trial, this Court is not inclined to grant bail to the petitioner.

9. Accordingly, the prayer for grant of bail to the



petitioner is, hereby, rejected.

10. Learned Trial Court is directed to expedite the trial.

11. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of three months from today. If any such application is filed before the learned Court below, the learned Court below shall consider the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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