

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.715 of 2025

Arising Out of PS. Case No.-15 Year-2023 Thana- KHUDWA District- Aurangabad

Umesh Chaudhary S/O Late Harihar Chaudhary Resident of Village -
Malwan, P.S- Khudawan, Dist- Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Jagjiwan Ram S/O Tapeswar Ram Resident of Village - Malwan, P.S-
Khudawan, Dist- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jitendra Kumar Sagar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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

ORAL ORDER

4 09-05-2025 Heard learned counsel for the appellants, learned Special

Public Prosecutor for the State and learned counsel for the

informant. Perused the case diary.

2. The instant appeal has been filed by the appellants
against the order dated 24.01.2025 passed by learned Special
Judge (SC/ST) cum Additional District Judge I, Aurangabad
whereby the prayer for bail of the appellants in connection with
Khudwan P.S. Case No. 15 of 2023 under Sections 147, 148,
149, 323, 326, 341, 307, 302, 504, 506 of the Indian Penal
Code, Section 27 of the Arms Act and Section 3(i)(r)(s) 3(2)(v)
(v) of SC/ST Act, was rejected. Earlier vide order dated 04-04-
2024, passed in Cr. Appeal (SJ) No. 2323 of 2023, appeal of the



appellant was rejected.

3. As per prosecution case, the accusation against the accused persons including the appellants is of being involved in the commission of murder of the deceased. It has been alleged that the accused persons have fired indiscriminately on the victims of this case in which one lady was killed and many others were got injured.

4. Learned counsel for the appellants submits that the appellant has falsely been implicated in the present case due to village politics and previous enmity. Charge-sheet has been submitted in this case. The appellant is in custody since 05.02.2023. The appellant has altogether six criminal antecedents. It is mainly contended that there is no likelihood of the trial being concluded in the near future.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant.

6. Pursuant to the earlier order of this Court, the learned Trial Court has sent its report dated 15.04.2025, stating therein that the case is at the stage of prosecution evidence and three witness have been examined as yet and the time expected to be taken for conclusion of the trial is nine months.



7. Considering the aforesaid facts and circumstances of the case, there being no fresh ground to reconsider the matter which is already decided on merit and the report sent by the learned trial court, this Court is not inclined to grant bail to the appellants at this stage.

8. Accordingly, the prayer for bail of the appellant, 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 four months from the date of receipt/production of a copy of this order.

9. If the trial is not concluded within the aforesaid period of four months, the appellant will be at liberty to renew his prayer for bail before the court below which will be disposed of on its merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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