

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86442 of 2024

Arising Out of PS. Case No.-167 Year-2023 Thana- BIHTA District- Patna

Akshay Kumar Singh @ Akshay Kumar S/o Subhash Singh @ Badri Narayan
Singh RO Village- Amhara, PS- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 12422 of 2025

Arising Out of PS. Case No.-167 Year-2023 Thana- BIHTA District- Patna

Shivam Kumar @ Venkatesh Raj S/o- Niraj Kumar @ Niraj Singh Village-
Kanchanpur, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 86442 of 2024)

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 12422 of 2025)

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 16-05-2025 Heard Learned counsel for the petitioners and

Learned A.P.P. for the State in both the cases.

2. The petitioner of Cr. Misc. No.86442 of 2024 and
petitioner of Cr. Misc. No.12422 of 2025 seeks regular bail in
connection with Sessions Trial No.1418 of 2024 arising out of
Bihta P.S. Case No.167 of 2023 lodged on 19.02.2023, for the
offence punishable under Sections 302 & 34 of the Indian Penal
Code read with section 27 of the Arms Act, pending in the Court
of Additional District & Sessions Judge 3rd, Danapur, Patna.



3. Learned counsel for the petitioner of both the cases submits that the bail applications of the petitioners have earlier been rejected *vide* orders dated 09.04.2024 & 05.07.2024 passed in Cr. Misc. Nos. 7274 of 2024 & 29171 of 2024 respectively, and Trial Court was directed to expedite the trial. Counsel submits that petitioner of first case (Cr. Misc. No.86442 of 2024) is in custody since 19.05.2023 and petitioner of second case (Cr. Misc. No.12422 of 2025) is in custody since 09.08.2023. Counsel submits that on earlier occasion, report with regard to present stage of the trial was called for.

4. Learned APP for the State opposes the prayer for bail of the petitioner of both the cases and submits that on earlier occasion, report with regard to the present stage of the trial has been called for and from the said report, it transpires that charge has been framed in this case on 23.12.2024 U/s 302 and 34 of the I.P.C. and section 27 of the Arms Act. Thereafter, for appearance of witnesses, summon and warrant have been issued, but till date, no witnesses have been examined and there are six charge-sheet witnesses.

5. Speedy trial is the constitutional vision of justice. From the record, it transpires that the present case is relating to Bihta P.S. which comes within the purview of District-Patna.



Therefore, Senior Superintendent of Police, Patna is hereby directed to do the needful by directing the concerned S.H.O/I.O of this case to assure the appearance of the witnesses for adducing evidence in connection with Sessions Trial No.1418 of 2024 arising out of Bihta P.S. Case No.167 of 2023 within three months from the date of communication of this order to him, so that trial takes place at the earliest.

6. Registry is directed to transmit a copy of this order to the Senior Superintendent of Police, Patna through fax, e-mail or any other mode forthwith. Registry is further directed to hand over a copy of this order to Learned APP for the State who shall communicate this order to the Senior Superintendent of Police, Patna at his level.

7. In this view of the matter, this Court is not inclined to grant bail to petitioner of both the cases. Accordingly, the prayer for regular bail of the petitioners are hereby rejected at present.

(Dr. Anshuman, J)

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