

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15669 of 2025

Arising Out of PS. Case No.-354 Year-2023 Thana- RAJAOLI District- Nawada

Suresh Yadav @ Suresh Kumar Son of Late Damodar Yadav Resident of
Village - Ghasakotand, P.S. - Gadhi, District - Jamui. At present Resident of
Village - Chatkari, Tola Taratand, P.S. - Rajauli, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priyanka Singh, Advocate

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

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

ORAL ORDER

4 08-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Sessions Trial No. 140 of 2024, arising out of Rajauli P.S. Case
No. 354 of 2023 instituted for the offences under Sections 364,
302, 201 & 120B of the Indian Penal Code.

3. This is the second attempt of the petitioner for bail.
The petitioner has renewed his prayer for grant of regular bail
which was earlier rejected on merit by this Court vide order
dated 13-05-2024 passed in Cr. Misc. No. 10805 of 2024.

4. In compliance of the order dated 30-06-2025, a
report dated 09-07-2025 with regard to the present stage of trial
has been received. From perusal of the aforesaid report, it



appears that two out of five prosecution witnesses have been examined till date.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 27-06-2023 without any rhymes or reason. Learned counsel for the petitioner submits that there is no likelihood of the trial being concluded in the near future.

6. Learned APP for the State opposes the prayer for grant of bail. Learned APP has further relied upon a decision of the Hon'ble Apex Court reported in **2024 SCC Online SC 3539 (X. vs. State of Rajasthan & Anr.)**, wherein in paragraph No.14, Hon'ble Apex Court has observed as under:

“14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.”

7. There is no new ground to consider the bail petition of the petitioner. From the aforesaid report, it appears that the trial is going on and is at an advance stage.

8. In view of the above, the prayer for bail of the



petitioner is again rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of three months from today. If the trial is not concluded within the period of three months, as stated above, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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