

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18497 of 2025

Arising Out of PS. Case No.-82 Year-2019 Thana- KUDHNI District- Muzaffarpur

Rahul Kumar S/o- Ram Karan Sah Village- Tarsan PS-Kudhani District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 20-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Session Trial No. 752 of 2022 arising out of Kudhani P.S. Case
No. 82 of 2019 registered for the offences punishable under
Sections 302, 120B, 34 of the IPC and section 27 of Arms Act.

3. As per prosecution case, there is allegation
against the petitioner and others to have fired upon the
informant's brother under conspiracy as a result of which he
died.

4. Learned counsel for the petitioner submits that
bail prayer of the present petitioner has been rejected twice
earlier vide order dated 01.02.2023 passed in Cr. Misc. No.
44507 of 2022 and vide order dated 17.05.2024 passed in Cr.



Misc. No. 5682 of 2024. He further submits that petitioner bears criminal antecedent of four cases in which he is on bail. Learned counsel further submits that petitioner has falsely been implicated in the case due to dirty village politics and he has not committed any offence as alleged in the FIR. He further submits that pace of trial is slow and delay of trial is not attributable to the present petitioner as he is in custody since 02.03.2022 which is more than three years.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that earlier bail prayer of the present petitioner has been rejected twice vide order dated 01.02.2023 passed in Cr. Misc. No. 44507 of 2022 and vide order dated 17.05.2024 passed in Cr. Misc. No. 5682 of 2024. Learned APP further submits that there is direct allegation against the petitioner to have fired upon the victim and postmortem report also supports the prosecution story and there is no fresh ground for considering the bail prayer of the petitioner.

6. In pursuance of direction by this Court, the trial court vide letter no. 117 of 2025 dated 23.04.2025 has sent its report in which it has been mentioned that the concerned court will try its level best to conclude the trial by 31.05.2025.



7. Considering the facts and circumstances of the case, particularly keeping in view that earlier bail prayer of the petitioner has been rejected twice on merit as well as report of the trial court, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

8. However, the learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Alok Kumar Pandey, J)

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