

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19086 of 2025**

Arising Out of PS. Case No.-339 Year-2023 Thana- RAJAON District- Banka

Mahtab Alam @ Md. Mahtab S/O Mohammad Mohsin @ Md. Mohsin
Resident of Village- Ustu, P.S.- Lodipur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv. Mr. Rajesh Kumar Sinha, Adv.
For the Opposite Party/s	:	Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 02-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.T.
No. 659 of 2023 arising out of Rajoun P.S. Case No. 339 of
2023 instituted for the offences under Sections 302, 120B &
34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the petitioner along with
other accused persons in connivance with the main accused
Mehtab Alam committed murder of the son of the Informant.

4. The petitioner has renewed his prayer for grant of



bail which was earlier rejected by this Court on merit vide order dated 09.08.2024 passed in Cr. Misc. No. 81770 of 2023.

5. In compliance to the earlier order of this Court dated 26.03.2025, the learned court below has sent report dated 21.04.2025 regarding present stage of trial which is kept at Flag 'A'.

6. From perusal of the aforesaid report dated 21.04.2025, it appears that the charge has been framed against the accused person on 22.11.2023 and, thereafter, the case is coming for evidence of prosecution. It is also stated that out of six charge-sheet witnesses, all witnesses have been examined on behalf of the prosecution. The prosecution evidence has been closed on 08.01.2025 and the next date of hearing is 03.05.2025 for argument of prosecution.

7. Learned counsel for the petitioner submits that the petitioner is innocent and is languishing in judicial custody since 16.08.2023 without any rhymes or reason. Six charge-sheet witnesses have been examined on behalf of the



prosecution. He further submits that the co-accused namely Binu Kumar @ Ritik Roushan has been granted bail by this Court vide order dated 13.02.2024 passed in Cr. Misc. No. 6452 of 2024.

8. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner is named in the F.I.R. and there is specific and direct allegation against the petitioner of committing murder of the deceased in connivance with his friends under conspiracy. The prayer for bail of the petitioner has already been rejected by this Court on merit and, hence, he does not deserve bail.

10. Having heard rival contention of both the parties and there being direct and specific allegation against the petitioner as also taking into account the report sent by the learned court below, this Court is not inclined to grant bail to the petitioner.

11. Accordingly, the prayer for bail of the petitioner, above named, is again rejected with a direction to the court below to expedite the trial and conclude the same



expeditiously.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

