

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21561 of 2025

Arising Out of PS. Case No.-58 Year-2021 Thana- NAYAGAON District- Begusarai

Shivam Kumar S/O Ramanuj Singh R/O Vill-Balahpur, P.S-Nayagaon, Dist-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr. Advocate
For the Informant	:	Ms. Sarita Kumari, Advocate
For the State	:	Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-05-2025 Heard Mr. Ansul, learned Senior counsel for the petitioner and Mr. Yogendra Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 22.01.2022, in connection with Sessions Trial No. 52 of 2023 arising out of Nayagaon P.S. Case No. 58 of 2021, F.I.R. dated 06.11.2021 registered for the offences punishable under Sections 387, 302, 506, 504/34 376 of the Indian Penal Code and Section 27 of the Arms Act.

3. Earlier the prayer for bail of the petitioner was rejected vide order dated 05.04.2023 passed in Cr. Misc. No. 43051 of 2022. Thereafter, the petitioner again moved before this Court in Cr. Misc. No. 75248 of 2023 but the same was dismissed as withdrawn with the liberty to move afresh before



the appropriate forum. Thereafter, the petitioner had again moved before this Court for regular bail which was rejected vide order dated 20.03.2024 passed in Cr. Misc. No. 9026 of 2024.

4. Learned Senior counsel for the petitioner submits that the petitioner is in custody since 22.01.2022 and the trial is not in progress.

5. Vide order dated 04.04.2025 a report was called for with regard to the stage of the trial. Report dated 28.04.2025 of the learned Trial Court reveals that out of seven chargesheeted witnesses, four witnesses have been examined and now the case is pending for the rest three witnesses.

6. Learned Senior counsel for the petitioner submits that now the 5th chargesheet witness has been partly examined by the learned Court below.

7. Learned counsel for the Informant as well as learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the trial is in progress and it appears from the F.I.R. that there is direct and specific allegation against the petitioner that he fired upon the victim due to which the victim died at the spot and the medical evidence also supports the allegation as alleged in the F.I.R. and apart from that the petitioner carries two more cases



other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

8. Considering the aforesaid facts and circumstances of the case, nature of allegation as alleged in the F.I.R. as well as in view of the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 52 of 2023 arising out of Nayagaon P.S. Case No. 58 of 2021 pending in the Court of learned Additional District & Sessions Judge-II, Begusarai.

9. Prayer is refused.

10. However, the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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