

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25125 of 2025

Arising Out of PS. Case No.-152 Year-2023 Thana- NAYA RAM NAGAR District- Munger

Birchand Bharti @ Patel @ Birchand Bharti @ Veer Chandra Bharti S/o
Jaleshwar Prasad Yadav Resident of village- Singhiya, P.S.- Naya Ramnagar,
Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 30-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.Tr. No.94 of 2024, arising out of Naya Ram Nagar (Safiasarai
O.P.) P.S. Case No.152 of 2023 lodged under Sections 304B/34
of the IPC pending before the Court of Addl. Sessions Judge-III,
Munger.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected vide
order dated 19.04.2024 passed in Cr. Misc. No.10000 of 2024
with liberty to renew the prayer for bail nine months after
framing of charge.

4. Learned counsel for the petitioner further submits



that the petitioner is in custody since 29.06.2023 and charge has already been framed on 13.03.2024. He further submits that all prosecution witnesses have been examined except the evidence of doctor. He further submits that there is no question of tempering of any of the evidence as examination of witnesses took place. He further submits that this case is of the year 2023 and committed to sessions court in the year 2024 being Sessions Trial No.94 of 2024 and upto the year 2025, all witnesses except doctor have been examined.

5. Counsel submit that the age of petitioner is about 27 years and his entire career is on stay. It is a case of accidental death and moreover since all witnesses have already been examined, then no purpose shall be served keeping the petitioner into custody. He further submits that the petitioner shall appear each and every date fixed in the trial court.

6. Learned counsel for the State opposes the prayer for bail and progress of the trial has been called for. From the progress report, it transpires that on the application of the APP, the dead body challan and the inquest report have been called for from the Civil Surgeon, Sadar Hospital, Munger and trial court had demanded 6 months time that within the said period, the trial shall be concluded.



7. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

8. However, liberty is hereby granted to the trial court that if within 6 months, trial shall not be concluded then he may release the petitioner on bail.

(Dr. Anshuman, J.)

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