

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31315 of 2025

Arising Out of PS. Case No.-1191 Year-2023 Thana- SONEPUR District- Saran

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Kanahiya Kumar S/o Sri Raju Sah R/o Village- Samaspura, P.S.- Mahua,
Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-08-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No. 702 of 2024 arising out of Sonepur P.S. Case No. 1191 of 2023, lodged on 17.12.2023 under Sections 341, 323, 379, 342, 364A, 120B and 34 of the Indian Penal Code, pending before the Court of Chief Judicial Magistrate, Saran at Chapra.

3. Learned counsel for the petitioner submits that the bail application of the petitioner was earlier rejected vide order dated 28.08.2024, passed in Cr. Misc. No. 21342 of 2024.

4. Learned counsel for the petitioner submits that the charge was framed on 17.08.2024. He further submits that the petitioner has clean criminal antecedent and has been in custody since 18.12.2023, and no purpose shall be served by keeping the petitioner in custody. He also submits that the other accused



persons have already been granted bail by this Court.

5. Learned APP for the State opposes the prayer for bail and submits that, from the form of heading of deposition annexed to the Cr. Misc. No. 29544 of 2025 (Sessions Trial No. 702 of 2024), which contains the evidence of one of the prosecution witnesses, it appears that the testimony narrates the sequence of events, and the recording of this evidence is currently ongoing. He further submits that the Sessions Judge has acknowledged in the rejection order that during investigation, petitioner's name transpired on the basis of confessional statement of Sujit Kumar @ Nepali disclosing entire planning and conspiracy hatched by the accused persons including petitioner and the petitioner also confessed their guilt.

6. 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 but liberty is hereby granted to the petitioner that he may renew his prayer for bail three months from today.

(Dr. Anshuman, J.)

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