

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52460 of 2024

Arising Out of PS. Case No.-551 Year-2023 Thana- ROSERA District- Samastipur

Rohit Kumar @ Buchcha S/o Lakshmi Mahto R/o vill - Sakrauli, P.S. -
Cheriya, Bariyarpur, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Rajeev, Advocate
For the Opposite Party/s	:	Mrs. Renu Kumari, APP
For the Informant	:	Mr. Piyush Kumar Pandey, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 04-07-2025 Heard Mr. Kumar Rajeev, learned counsel for the
petitioner, Mr. Piyush Kumar Pandey, learned counsel for the
informant and Mrs. Renu Kumari, learned APP for the State.
Perused the case diary.

2. The petitioner seeks bail in connection with Rosera
P.S. Case No. 551 of 2023 instituted for the offences under
Sections 394, 302 of the Indian Penal Code and Section 27 of
the Arms Act.

3. As per prosecution case, unknown miscreants are
alleged to have killed the informant's two brothers and looted a
bag of money containing Rs. 2-2.5 lakhs.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the



present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Manish Kumar. Learned counsel further submitted that there is a delay of three days in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. Charge-sheet has been submitted in this case and charge has also been framed. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.11.2023 and has eight criminal antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the informant submitted that except IO and doctor, all other witnesses have been examined and trial is at the verge of conclusion.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of offence as also the present stage of trial, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial and conclude the same preferably within a period of two



months.

9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of two months from today. If any such application is filed before the learned court below, the court concerned shall consider the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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