

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34707 of 2025

Arising Out of PS. Case No.-326 Year-2023 Thana- BARHARA KOTHI District- Purnia

Hari Kumar Ram @ Hariya @ Harinandan Bharti Son of Arbind Kumar Ram
@ Shambhu Ram Resident of village - Matihani Ward No.- 04, P.S.- Barhara
(Raghubansh Nagar), District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Jitendra Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP

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

ORAL ORDER

3 05-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Sessions Trial No. 101 of 2024 arising out of B. Kothi P.S. Case
No. 326 of 2023 instituted for the offences under Sections
302/34 of the Indian Penal Code.

3. This is the second attempt of the petitioner for bail.
The petitioner has renewed his prayer for grant of regular bail
which was earlier rejected on merit by this Court vide order
dated 13-05-2024 passed in Cr. Misc. No. 14783 of 2024.

4. In compliance of the order dated 20-06-2025, a
report dated 07-07-2025 with regard to the present stage of trial



has been received. From perusal of the aforesaid report, it appears that two witnesses have been examined in this case. It is further reported that trial is likely to be concluded within a period of six months.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 04-09-2023 without any rhymes or reason, having no antecedent. It is submitted that there is no likelihood of the trial being concluded in the near future.

6. Learned APP for the State opposes the prayer for grant of bail. Learned APP has further relied upon a decision of the Hon'ble Apex Court reported in **2024 SCC Online SC 3539 (X. vs. State of Rajasthan & Anr.)**, wherein in paragraph No.14, Hon'ble Apex Court has observed as under:

“14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.”

7. There is no new ground to consider the bail petition of the petitioner. From the aforesaid report, it appears that the



trial is going on and is at an advance stage.

8. In view of the above, the prayer for bail of the petitioner is again *rejected* with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of four months from today. If the trial is not concluded within the period of four months, as stated above, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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