

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38970 of 2025

Arising Out of PS. Case No.-72 Year-2023 Thana- KISHANPUR District- Supaul

BRAHMDEV SAH Son of Gopali Sah R/o village - Sripur Ward No.- 11,
P.S.- Kishanpur, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nafisu Zzoha, Adv.
For the Opposite Party/s	:	Mr.Sanjay Kumar Tiwary, APP
For the Informant	:	Mr. Rajiv Ranjan, Adv.

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

ORAL ORDER

3 12-08-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.

2. The petitioner seeks bail in connection with
Kishanpur P.S. Case No. 72 of 2023 instituted for the offences
under Sections 302, 379/34 of the Indian Penal Code.

3. As per prosecution case, in short, is that accused
persons including the petitioner came at the house of the
informant loaded with *lathi*, *danda* and *farsa* and started
abusing the informant. It is further alleged that on the order of
one Gopali Sah, co-accused, namely, Ranjeet Sah and the
petitioner with the intention to kill, attacked with the iron rod on
Rekha Devi, who ducked down, due to which the iron rod got
hit on the head of the differently abled son of Rekha Devi,



namely, Chandan Kumar, as a result of which he died. .

4. The petitioner has renewed his prayer for grant of regular bail which was earlier rejected by this Court vide order dated 14.11.2024 passed in Cr. Misc. No. 80429 of 2024.

5. Learned counsel for the petitioner submits that the petitioner is in custody since 03.06.2024 and has no criminal antecedent. He further submits that the charge has already been framed and two witnesses have been examined till 06.03.2025 who have not supported the prosecution case. He further submits that and there is no likelihood of conclusion of the trial in near future.

6. In compliance to the order of this Court dated 24.06.2025, the learned court below has sent report regarding present stage of trial.

7. The report of the learned Principal District and Sessions Judge, Supaul dated 07.07.2025 suggests that out of 10 charge-sheeted witnesses, two witnesses have been examined and cross-examined so far. It is further reported that the trial is likely to be concluded within six months.

8. At this stage, learned counsel for the Informant submits that five witnesses have been examined till date.

9. There is no new ground to consider the bail



application of the petitioner.

10. In that view of the matter, the present application is again rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of six months from today.

11. If the trial is not concluded within the aforesaid period of six months, the petitioner will be at liberty to renew his prayer for bail before the learned court below.

(Rudra Prakash Mishra, J)

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