

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2288 of 2025

Arising Out of PS. Case No.-448 Year-2023 Thana- NOORSARAI District- Nalanda

Sudhir Kumar @ Sudhir Yadav S/o Ram Kishun Yadav R/o Village-
Bhakhari, P.S.- Noor Sarai, District- Nalanda

... .. Appellant/s

Versus

1. The State of Bihar
2. Dhiraj Kumar S/o Amit Paswan R/o Village- Pawapatti, P.S-Noor Sarai,
District- Nalanda

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Kumar No. 1, Advocate
For the State : Mr. Binay Krishna, Spl. PP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 14-11-2025 Heard the parties.

2. The present appeal has been preferred for setting aside the order dated 07.05.2025 passed in Noor Sarai P.S. Case No. 448/2023 instituted against the appellant for the offences punishable under section 365 of the Indian Penal Code and subsequently added section 302, 201/34 of the Indian Penal Code and under section 3(2)(V) of Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, by which the prayer of bail of the appellant has been rejected by learned Additional Session Judge-VI-cum Special Judge Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act Bihar Sharif, Nalanda and further be pleased to direct release the



appellant on bail in Noor Sarai P.S. Case No. 448 of 2023.

3. As per the prosecution case, the informant gave a written report stating that his mother had left for irrigation of the land at the behest of Sudhir Yadav (petitioner herein), and since then, she was traceless, hence, the FIR was lodged.

4. Earlier, the prayer of the petitioner was rejected by this Court in Cr. Misc. No. 42285 of 2024 (Sudhir Yadav vs. The State of Bihar) on 11.11.2024. Now, the second bail application.

5. It is to be noted that the son of the petitioner namely Sonu Kumar was picked up by the Police and had given the details where the dead body was dumped and accordingly, the said dead body which was earlier consigned to flames through photo was identified. He has given details about the role played by his father, the present petitioner as also how the lady was killed.

6. Learned counsel representing the informant submits that the trial is at the fag end and only Investigating Officer and Medical Officer are to be examined.

7. The Trial Court should take note of the fact that the petitioner is in custody and as such, unnecessary should not delay the trial and take all steps that the Medical Officer and Investigating Officer appears and adduce their evidences.

8. So far as the prayer for bail is concerned,



considering the allegation that has come against the petitioner,
no second thought is required.

9. The bail application stands rejected.

10. Since only two witnesses are to be examined, the
Trial Court should ensure that the trial is taken to its logical
conclusion preferably within a period of six months.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

