

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47590 of 2025

Arising Out of PS. Case No.-210 Year-2024 Thana- NASRIGANJ District- Rohtas

Gandhi Chaudhary S/o Mahendra Chaudhary R/o Vill- Amiyawar, P.S.-
Nasriganj, Distt- Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Kishan, Advocate
For the Opposite Party/s	:	Mr. Madhuri Lata, APP
For the Informant	:	Mr. Nafisuzzoha, Advocate

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

ORAL ORDER

4 26-09-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with
Nasriganj P.S. Case No. 210 of 2024 instituted for the offences
under Sections 302, 120B, 34 of the Indian Penal Code and
Sections 25(1-b)a, 26, 35, 27 of the Arms Act.

3. Earlier vide order dated 10.12.2024 passed in Cr.
Misc. No. 76498 of 2024, the prayer for grant of bail to the
petitioner was rejected by this Court taking into account the
nature and gravity of offence as also his 21 criminal
antecedents.

4. As per the report dated 15.09.2025 sent by the



learned court below, it appears that charges against the petitioner have been framed on 27.06.2025 and out of seven witnesses, one has already been examined.

5. The prosecution case, as emanates from the FIR, is that all the named accused persons, including the petitioner, threatened the informant and his brother, namely, Atul Kumar (deceased) of killing them. It is alleged that on the fateful day i.e. on 29-06-2024, while the brother of the informant was returning from the Gym, he was shot dead. The accusation against the accused persons including the petitioner and 3-4 unknown miscreants is of committing murder of the Informant's brother.

6. Learned counsel for the petitioner submitted that this is the second attempt of the petitioner for grant of bail. Learned counsel for the petitioner mainly submitted that the petitioner has been languishing in jail since 22.07.2024 and there is no significant progress in the trial nor there is any likelihood of conclusion of trial in near future and therefore, petitioner may be released on bail. It has been submitted on behalf of the petitioner that the petitioner has eighteen criminal antecedents.

7. 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 APP for the State 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, the Hon'ble Apex Court has held 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.”

8. Having considered the submissions made on behalf of the parties, this Court finds no fresh ground to reconsider the matter which has already been decided on merit by this Court as also taking into account the present stage of trial, this Court is not inclined to grant bail to the petitioner.

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

10. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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