

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44395 of 2025

Arising Out of PS. Case No.-465 Year-2020 Thana- SHERGHATI District- Gaya

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Krishna Sudama Thakur S/o Jai Ram Thakur R/o Village- Bengalidih, P.S.-
Sherghati (Dobhi), District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajni Kant Jha

For the Opposite Party/s : Mr.Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

6 26-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with S.
Tr. No. 786 of 2024, 842 of 2023 arising out of Sherghati
(Dobhi) P.S. Case No. 465 of 2020 registered for the offences
punishable under Sections 302 and 34 of the Indian Penal Code.

3. As per prosecution case, petitioner and others
poured kerosene oil on the body of informant's sister and set her
on fire and during the course of treatment she died.

4. Learned counsel for the petitioner submits that
on 19.07.2021 bail prayer of the present petitioner has been
withdrawn (Anneuxre P/1). He further submits that on earlier
two occasions prayer for bail of the present petitioner has
already been rejected i.e. on 13.01.2023 and 12.07.2024 on



merit. He further submits that while rejecting prayer for bail of the petitioner on 13.01.2023, this court has observed that if the trial is not concluded within nine months, the petitioner may renew his prayer for bail and on 12.07.2024 this court has observed that if the trial is not concluded within five months, the petitioner may renew his prayer for bail. Petitioner is in custody since 05.01.2021 and bears no criminal antecedent. He further submits that the petitioner is quite innocent and has falsely been implicated in the present case as he is husband of the deceased. Learned counsel for the petitioner submits that delay of trial is not in any way attributable to the petitioner as he is in custody since 05.01.2021.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner by submitting that petitioner is the husband of the deceased and there is allegation against the petitioner to set ablaze the victim by sprinkling kerosene oil on her body and the same is supported by the postmortem report. He further submits that on earlier two occasions bail prayer of the present petitioner has already been rejected with certain conditions and now, at present, all the prosecution witnesses have been examined and discharged and trial is at the stage of conclusion. Hence, petitioner does not



deserve bail.

6. In pursuance of direction of this Court, the trial court vide letter no. 197 dated 02.08.2025 has sent its report in which it has been reflected that all the prosecution witnesses have been examined and discharged.

7. Considering the facts and circumstances of the case, on earlier two occasions bail prayer of the petitioner has already been rejected as well as report of the trial court which reflects that all the prosecution witnesses have already been examined and discharged, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Alok Kumar Pandey, J)

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