

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44901 of 2025

Arising Out of PS. Case No.-522 Year-2021 Thana- SURSAND District- Sitamarhi

Dev Narayan Chaudhary @ Devan Chaudhary S/o Bhilai Chaudhary R/o
Village - Belwas, Ward no. - 7, P.S.- Belwas, Distt - Sarlahi (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 01-08-2025 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. This is the 2nd attempt of the petitioner. Earlier the
bail application of the petitioner was rejected *vide* order dated
27.02.2024 passed in Cr. Misc. No. 73180 of 2023.

3. The petitioner seeks regular bail in a case registered
for the offence under Sections 395 397 of the Indian Penal Code
and ¾ of the Explosive Substance Act.

4. The following order was passed on 27.02.2024 in
Cr. Misc. No. 73180 of 2023:-

Heard the learned counsel for the petitioner
and learned APP for the State.

2. The petitioner seeks regular bail in a case
registered for the offence under Sections 395 and 397 of
the Indian Penal Code and Section ¾ of the Explosive
Substance Act.

3. As per the prosecution case, the



petitioner is accused of committing dacoity.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and he is in jail since 24.01.2022.

5. Learned A.P.P. has vehemently opposed the prayer for bail and has submitted that petitioner is accused in three more cases of similar and serious nature out of which two cases are of dacoity.

6. Considering the allegations levelled against the petitioner, I am not inclined to grant bail to the petitioner. This application for regular bail is dismissed.

7. The court below is directed to expedite the trial of the petitioner.

5. The learned counsel for the petitioner submits that though the petitioner is in custody since 24.01.2022 but in the trial out of 10 witnesses, only four witnesses have been examined and in the year 2025, not even a single witness has been examined.

6. Considering the gravity of the offence and the law laid down by the Hon'ble Supreme Court in the case of *X Vs. State of Rajasthan and Anr., 2024 SCC OnLine SC 3539*, I am not inclined to grant regular bail to the petitioner. Accordingly, this application for regular bail is hereby dismissed.

7. However, the Superintendent of Police, Sitamarhi is directed to ensure the attendance of the witnesses in the Trial on the dates fixed and the Trial Judge is also directed to expedite the trial. He will not grant unnecessary adjournment to the prosecution.



8. Let a copy of this order be communicated to the Principal District & Sessions Judge, Sitamarhi & the Superintendent of Police, Sitamarhi through FAX for its compliance forthwith.

(Sandeep Kumar, J)

Shishir/-

U			
---	--	--	--

