

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44727 of 2025

Arising Out of PS. Case No.-101 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Rahul Kumar S/o Baidhnath Rai R/o Village- Boghara, P.S.- Shahpur Patori
(Mohanpur- O.P.), District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Harendra Nath Ojha, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 30-08-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Shahpur Patori P.S. Case No.101 of 2023 lodged under Sections
103(1), 238/3(5) of the BNS, 2023.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected twice
vide orders dated 06.12.2023 & 13.11.2024 passed in Cr. Misc.
Nos.63590 of 2023 & 54434 of 2024.

4. Learned counsel for the petitioner further submits
that the petitioner is in custody since 07.02.2023 and trial of the
petitioner has not been concluded. He further submits that
progress report of the trial has been called for.

5. Learned counsel for the State opposes the prayer



for bail and submits that offence is lodged under section 302 of the IPC and the material used in the commission of crime has been recovered on the disclosure of the petitioner.

6. Counsel further submits that progress report has been called for. In the report, it has been intimated that there were in total 5 prosecution witnesses in this case, but only 4 witnesses have been examined and only I.O. of this case has to be examined. He further submits that trial court has indicated that the trial of the case may be concluded within 5 months.

7. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner at present. Therefore, the bail application of the petitioner is hereby rejected.

8. However, Trial Court is hereby directed to conclude the trial at the earliest.

9. It transpires to this Court that speedy trial is constitutional vision of justice. As such, it is hereby directed to the Superintendent of Police, Samastipur to do the needful and direct the SHO/I.O. of this case to produce the witnesses before the trial court for adducing evidence within 4 months from the date of production of this order.

10. However, Registry is directed to communicate this



order forthwith to the Superintendent of Police, Samastipur through E-mail, Whatsapp etc. Registry is further directed to hand over a copy of this order to learned A.P.P., who shall communicate this order to the Superintendent of Police, Samastipur at his level.

(Dr. Anshuman, J.)

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