

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46453 of 2025

Arising Out of PS. Case No.-134 Year-2023 Thana- CHANDI District- Bhojpur

Daroga Mushar @ Daroga Ram Son of Rang Bahadur Singh, Resident of -
Jahanpur, P.S.- Chandi, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 29-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No.248 of 2024 arising out of Chandi P.S. Case No.134 of 2023 for the offences registered under Sections 302, 376, 201 & 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that this is the second bail petition filed on behalf of the petitioner. Earlier, the prayer for bail of petitioner was rejected on merit by this Court vide order dated 12.02.2024 passed in Cr. Misc. No.73851 of 2023. He further submits that the prosecution has examined three witnesses out of six charge-sheeted witnesses and all the three witnesses which have been examined on behalf of prosecution have become hostile. Petitioner is in custody



since 18.05.2023. He submits that petitioner shall co-operate in the trial.

4. Learned A.P.P. appearing on behalf of the State vehemently opposes the prayer for grant of bail to the petitioner and submits that the regular bail of petitioner was earlier rejected on merit vide order dated 12.02.2024 and no fresh ground is made out for grant of bail to the petitioner. He further submits that there is direct and specific allegation against the petitioner that he caused death to the victim by pressing her neck, therefore, the petitioner does not deserves the privilege of regular bail.

5. A report was called for regarding the stage of trial vide order dated 25.07.2025 which was received and as per the report dated 04.08.2025 submitted by the Trial Court, three witnesses out of six charge-sheeted witnesses have already been examined and steps have been taken by the Trial Court to conclude the trial.

6. It is well settled that once the trial commences, it should be allowed to reach to its final conclusion which may either result in conviction of the accused or acquittal of the accused. The accused has the right to have a speedy trial.

7. Having considered the facts and circumstances of



the case as well as the allegation against the petitioner that earlier the bail petition of the petitioner was rejected on merit and in the trial the prosecution has examined a significant number of witnesses, this Court is not inclined to grant bail to the petitioner. Accordingly, the bail petition of the petitioner is dismissed.

8. The learned Trial Court is expected to expedite the trial and try to dispose of the case at earliest in view of the custody period of the petitioner.

(Sunil Dutta Mishra, J)

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