

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47318 of 2025

Arising Out of PS. Case No.-610 Year-2022 Thana- KOILWAR District- Bhojpur

Vicky Singh S/o Late Umesh Kumar Singh R/o - Janakpu, P.S - Chauri,
District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Koilwar
P.S. case No. 610 of 2022 instituted for the offences under
Sections 302/34 of the Indian Penal Code.

3. The main allegation as per FIR is that son of the
informant, namely Aryan Raj, was killed by the caller by means
of iron angle and iron rod.

4. The petitioner has renewed his prayer for grant of
regular bail which was earlier rejected by this Court vide order
dated 14.03.2024 passed in Cr. Misc. No. 56950 of 2023.

5. Learned counsel for the petitioner submits that the
petitioner is in custody since 04.10.2022 and the charge-sheet
has been submitted. He further submits that out of five charge-
sheet witnesses, only three witnesses have been examined and,



thus, there is no likelihood of conclusion of the trial in near future. He further submits that the co-accused Ashish Pandey has also been granted bail by this Court vide order dated 14.07.2025 passed in Cr. Misc. No. 33790 of 2025.

6. In compliance to the order of this Court dated -09.07.2025, the learned court below has sent report dated 25.07.2025 regarding present stage of trial.

7. The report of the learned Additional Sessions Judge-XIII, Bhojpur at Ara dated 25.07.2025 shows that altogether five witnesses have been cited in the charge-sheet, out of them four have been examined and discharged. It is also stated that the case is expected to be disposed off within a period of next six months or as early as possible.

8. Having heard learned counsel for the parties, this Court finds that there is no new ground for reconsideration of the prayer for bail. The trial is already in progress and, out of five witnesses as mentioned in the charge-sheet, four witnesses have been examined and discharged. Since, the trial is already in progress, this Court is not inclined to grant bail to the petitioner at this stage. Reliance in this connection may be made to the 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.”

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

10. Learned Trial Court is directed to expedite the trial and conclude the same expeditiously preferably within a period of two months from today. If the trial is not concluded within the aforesaid period of two months, the petitioner will be at liberty to renew his prayer for bail before the court below.

(Rudra Prakash Mishra, J)

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