

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47076 of 2025**

Arising Out of PS. Case No.-214 Year-2023 Thana- MURLIGANJ District- Madhepura

Mantu Poddar S/o Damodar Poddar R/o vill - Parwa, ward no. 3, P.S.-  
Murliganj, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pramod Mishra, Adv.

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, 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 Murliganj P.S. Case No. 214 of 2023, instituted for the offences punishable under Sections 341, 323, 324, 379, 354B, 384, 307, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act. Later on Section 302 of the of the Indian Penal Code was added.

3. The prosecution case, in short, is that, the petitioner assaulted the *bhaisur* of the informant by means of *dabiya* on his head due to which he succumbed to his injury.

4. The petitioner has renewed his prayer for grant of regular bail which was earlier rejected by this Court vide order dated 19.07.2024 passed in Cr. Misc. No. 49453 of 2024.



5. Learned counsel for the petitioner submits that the petitioner is in custody since 04.10.2023 and there is no likelihood of conclusion of the trial in near future.

6. In compliance to the order of this Court dated 09.07.2025, the learned court below has sent report dated 15.07.2025 regarding present stage of trial.

7. The report of the learned District & Additional Sessions Judge-II, Madhepura dated 15.07.2025 shows that the case is running at the stage of prosecution evidence in which out of 8 charge-sheeted witnesses, six prosecution witnesses including the I.O. and the Informant and three injured witnesses have already been examined.

8. Having heard learned counsel for the parties, this Court finds that there is no new ground to reconsider the bail application of the petitioner. The trial is already in progress and, out of total eight witnesses, six prosecution witnesses have already been examined. 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 three months from today. If the trial is not concluded within the aforesaid period of three 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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