

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49185 of 2025

Arising Out of PS. Case No.-249 Year-2023 Thana- BHELDI District- Saran

Raja Kumar S/o Shiv Nath Mahato @ Rekshi Mahto R/o Village- Repura,
P.S.- Bheldi, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mili Kumari, Advocate

For the State : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

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

2. This is the second attempt on behalf of the petitioner for grant of bail in connection with Bheldi P.S. Case No. 249 of 2023 registered for the offence punishable under Sections 341, 323, 307, 302 and 379/34 of the Indian Penal Code.

3. Earlier the bail application of the petitioner has been rejected vide order dated 31.07.2024 passed in Cr. Misc. No. 32100 of 2024, which reads as follows:

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

*2. The petitioner seeks bail in
connection with Bheldi P.S. Case No. 249 of
2023 registered for the offence under Sections
341, 323, 307, 302, 379/34 of the Indian Penal
Code.*



3. The petitioner is involved in the killing of the deceased after trying to snatch her baby. The victim was assaulted with a fighter.

4. The petitioner is in jail since 5.9.2023.

5. It has been submitted by the learned counsel for the petitioner that it is a case of accident which has subsequently been given the colour of murder.

6. Learned APP for the State has vehemently opposed the application of the petitioner for grant of bail.

7. I have examined the FIR, case diary and the post-mortem report and from the materials available on record, the defence of the petitioner does not find support.

8. Accordingly, this application is dismissed.

9. The Court below is directed to expedite the trial of the petitioner and conclude the same at the earliest.”

4. Learned counsel for the petitioner submits that out of eight witnesses only one witness has been examined and the petitioner has remained in custody for about two years.

5. Considering the gravity of offence, I am not inclined to grant bail to the petitioner.

6. Accordingly, the application stands dismissed.

7. The Superintendent of Police, Saran is directed to ensure the appearance of the witnesses in the trial.

8. Let a copy of this order be communicated to the Superintendent of Police, Saran forthwith through FAX or e-mail for its compliance.



9. If the trial is delayed by the prosecution, the
petitioner may renew his prayer for bail.

(Sandeep Kumar, J)

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