

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48473 of 2025

Arising Out of PS. Case No.-122 Year-2022 Thana- SHERGHATI District- Gaya

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Khelawan Manjhi @ Ram Khelawan Manjhi S/O Late Barat Manjhi @ Varat
Manjhi R/O Vill.- Bigha, P.S.- Dobhi, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 19-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with S.T.
No. 537 of 2022 arising out of Sherghati (Dobhi) P.S. Case No.
122 of 2022 instituted for the offences under Sections 302,
120(B) & 34 of the Indian Penal Code.

3. This is the second attempt of the petitioner for bail.
The petitioner has renewed his prayer for grant of regular bail
which was earlier rejected on merit by this Court vide order
dated 24-10-2024 passed in Cr. Misc. No. 42460 of 2024, taking
into account the nature and gravity of offence.

4. In compliance of the order dated 16-07-2025, a
report dated 12-09-2025 with regard to the present stage of trial



has been received. From perusal of the aforesaid report, it appears that eight out of eleven charge sheet witnesses have been examined in this case.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 09-02-2022 without any rhymes or reason. Learned counsel for the petitioner mainly submits that there is no likelihood of the trial being concluded in the near future and petitioner has suffered long incarceration, hence, he deserves the privilege of bail.

6. Learned APP for the State opposes the prayer for grant of bail. Learned APP has further relied upon a 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, Hon'ble Apex Court has observed 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.”

7. Considering the above, there is no new ground to



consider the bail petition of the petitioner. From the aforesaid report, it appears that the trial is going on and is on the verge of its conclusion.

8. In view of the above, the prayer for bail of the petitioner is again *rejected* with a direction to the court below 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 period of two months, as stated above, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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