

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50314 of 2025

Arising Out of PS. Case No.-138 Year-2024 Thana- DHAMDAHA District- Purnia

Mukesh Thakur S/o- Subhash Thakur @ Subhash Chandra Thakur Village-
Dhamdaha Dakshin PS- Dhamdaha Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 25-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sessions Trial No. 517 of 2024 arising out of Dhamdaha P.S.
Case No. 138 of 2024 instituted for the offences under Sections
302, 201, 120B, 34 of the Indian Penal Code.

3. Earlier vide order dated 13.11.2024 passed in Cr.
Misc. No. 58830 of 2024, the prayer for grant of bail to the
petitioner was rejected.

4. Learned counsel for the petitioner mainly submitted
that the petitioner has been languishing in jail since 11.06.2024
and there is no significant progress in the trial. Learned counsel
further submitted that three prosecution witnesses, out of ten



have been examined and they have turned hostile. Learned counsel further submitted that there is no likelihood of conclusion of trial in near future and therefore, petitioner may be released on bail. It has been submitted on behalf of the petitioner that the petitioner has one criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State 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, 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.”

7. Having considered the submissions made on behalf of the parties, this Court finds no fresh ground to reconsider the matter which has already been decided on merit by this Court as also taking into account the present stage of trial, this Court is not inclined to grant bail to the petitioner.



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

10. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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