

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2907 of 2025

Arising Out of PS. Case No.-73 Year-2023 Thana- PUNAURA District- Sitamarhi

1. Sunil Kumar @ Sunil Mahto S/O Rajendra Mahto Resident of Mohalla- Janki Asthan, Purani Math, Ward No.- 8, P.S.- Sitamarhi, District- Sitamarhi (Bihar)
2. Rama Shankar Kumar @ Rama S/O Late Lakshmi Mahto Resident of Mohalla- Janki Asthan, Purani Math, Ward No.- 8, P.S.- Sitamarhi, District- Sitamarhi (Bihar)

... .. Appellant/s

Versus

1. The State of Bihar
2. Neha Devi W/O Late Chintu Raut Resident of Mohalla- Janki Asthan, Purani Math, Ward No.- 8, P.S.- Sitamarhi, District- Sitamarhi (Bihar)

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pushpendra Kumar Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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

ORAL ORDER

2 31-07-2025 Heard learned counsel for the appellants, learned
Special Public Prosecutor for the State.

2. Earlier the regular bail of the appellants was rejected vide order dated 01.02.2024 passed in Cr. Appeal (S.J.) No. 4589 of 2023 (Annexure- P1). Present is the second application by way of appeal for regular bail filed on behalf of the appellants.

3. The instant appeal has been filed by the appellants against the order dated 21.06.2025 passed by learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA)



Act, Sitamarhi whereby the prayer for bail of the appellants in connection with Punaura P.S. Case No. 73 of 2023 under Sections 302, 120(B), 201/34 of the Indian Penal Code and Section 3(2)(v) of SC/ST Act was rejected.

4. On perusal of the impugned order, it transpires that in this case, Charge have been framed against the appellants and thereafter, all the prosecution witnesses including the doctor and the I.O. have been examined. Now, the case is pending for argument. It appears that the case is at the verge of disposal.

5. After hearing learned counsel for the appellants, this Court does not find any fresh ground to revisit the matter which is already decided by a Co-ordinate Bench of this Court on merit. This Court would further take note of the fact that the appellants are in custody since 25.03.2023. Accordingly, taking into account the aforesaid facts and circumstances of the case and specifically keeping in view the stage report as mentioned in the impugned order, this Court at this stage is not inclined to allow the appeal.

6. Accordingly, the appeal stands dismissed. The trial Court is directed to expedite the trial and conclude the same preferably within a period of two months. However, if the trial is not concluded within a period of two months from the date of



receipt/production, the appellants will have liberty to renew
their prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

Rajorshi/-

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