

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61887 of 2024

Arising Out of PS. Case No.-181 Year-2021 Thana- BIHPUR District- Bhagalpur

Gulshan Kumar @ Gulshan Yadav Son of Tuntun Yadav R/O Vill.- Sahori,
P.S.- Bihpur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Sr. Advocate Mr. Manish Kumar Singh, Advocate Mr. Dharmendra Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

7 19-09-2025 Heard learned Sr. Counsel for the petitioner and
learned APP for the State.

2. Learned Sr. Counsel for the petitioner submits that the petitioner's prayer for bail was earlier rejected vide orders dated 24.02.2023 and 08.12.2023 passed in Criminal Miscellaneous No. 56813 of 2022 and Criminal Miscellaneous No. 57145 of 2023 respectively.

3. Learned Senior Counsel for the petitioner further submits that the petitioner is in custody since 10.05.2021. On an earlier occasion, this Court had sought a report regarding the progress of the trial. It is submitted that though charge was framed in the year 2021, the trial has not yet been concluded.



Learned Senior Counsel further submits that the petitioner is not named in the FIR but he has been made accused solely on the confessional statement of a co-accused, who has already been granted bail vide order dated 24.08.2022 passed in Cr. Misc. No. 25091 of 2022. On the ground of parity, the petitioner also deserves the privilege of bail. Except for the aforesaid confession, there is no material against him.

4. Learned APP for the State opposes the prayer for bail and submits that on the earlier occasion, this Court had directed for a report regarding the stage of the trial. As per the progress report, the evidence of prosecution witnesses stands concluded.

5. Upon perusal of the report, it transpires to this Court that, on the prayer of the prosecution, the prosecution evidence has been closed. The matter was fixed for 08.09.2025 for recording the statement of the accused persons under Section 313 of the Cr.P.C.

6. In view of the aforesaid circumstances, this Court is not inclined to grant bail to the petitioner at present. Accordingly, the prayer for bail in S. Tr. No. 495/2021 arising out of Bihpur P.S. Case No. 181/2021, pending before the Court of the learned Additional Sessions Judge-1st, Naugachia,



Bhagalpur, is hereby rejected.

7. However, the trial Court is directed to expedite the trial and conclude the same within two months from the date of communication of the order. The petitioner is also directed to co-operate in the trial.

(Dr. Anshuman, J)

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