

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65553 of 2024**

Arising Out of PS. Case No.-4 Year-2023 Thana- ALOULI District- Khagaria

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Rustam @ Rustam Kumar @ Rustam Yadav Son of Ramchandra Yadav  
Resident of Village - Garhi Surha, Basantpur, P.S. - Hasanpur, District -  
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

7      17-03-2025                      Heard the learned senior counsel for the petitioner as  
  
well as the learned APP for the State.

2. This is the 2<sup>nd</sup> attempt on behalf of the petitioner for  
regular bail in connection with Alauli P.S. Case No. 04 of 2023  
registered for the offences punishable under Sections 302, 34 of  
the IPC and Section 27 of the Arms Act.

3. Earlier the bail application of the petitioner was  
rejected by this Court *vide* Cr. Misc. No. 72798 of 2023 on  
09.11.2023.

4. The order dated 09.11.2023 passed in Cr. Misc. No.  
72798 of 2023 reads as follows:-

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

This application for grant of  
regular bail arise out of Alauli P.S. Case  
No. 04 of 2023 registered for the offence



punishable under Sections 302, 34 of the Indian Penal Code read with Sections 27 of the Arms Act.

The deceased was killed by the criminals in the indiscriminate firing under a plan. The name of the petitioner has transpired as having participated in the crime and they all conspired and thereafter the deceased was killed.

In view of the aforesaid fact, this Court is not inclined to grant bail to the petitioner in this kind of serious planned murder even though co-accused has been granted bail.

Accordingly, the prayer of bail of the petitioner is rejected herewith.

The Trial Court is directed to expedite the trial.

5. In the Trial, out of nine witnesses, four witnesses have already been examined.

6. Considering the facts of the case as well as the fact that the trial is proceeding, I am not inclined to grant bail to the petitioner.

7. Accordingly, this application filed on behalf of the petitioner for grant of regular bail stands rejected.

8. The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sandeep Kumar, J)

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