

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67466 of 2025

Arising Out of PS. Case No.-193 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

Kirtan Pathak S/o Parshuram Pathak R/o Mohalla/Village- Ijari Sriram, P.S.-
Buxar Muffasil, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Arun, Adv. Mr. Ram Naresh Singh, Adv.
For the Opposite Party/s	:	Mr. Satya Nand Shukla, APP

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

ORAL ORDER

3 31-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.Tr.
No. 142 of 2024 arising out of Buxar (Muffasil) P.S. Case No.
193 of 2023 instituted for the offences under Sections 302, 307,
504, 506, 34 of the Indian Penal Code and Section 27 of the
Arms Act.

3. The prosecution case, in short, is that the informant
along with his nephews was going to police station to lodge a
complaint, in the meantime, the accused persons surrounded
them and fired due to which, his nephew received injury and
later succumbed to the injury.

4. The petitioner has renewed his prayer for grant of



regular bail which was earlier rejected by this Court on merit vide order dated 14.02.2025 passed in Cr. Misc. No. 59308 of 2024.

5. Learned counsel for the petitioner submits that the petitioner is in custody since 02.02.2024 i.e. for about one year and seven months. Learned counsel for the petitioner further submits that the charges have been framed against the petitioner, the petitioner was put on trial and summons were also issued to the prosecution witnesses to adduce evidence fixing 11.09.2024 for their evidence. He further submits that in the meantime, several dates were fixed for the evidence of prosecution witnesses but, no witness was turned up for evidence. Learned counsel for the petitioner further submits that there is no likelihood of conclusion of the trial in near future.

6. In compliance to the order of this Court, the learned court below has sent report dated 19.09.2025 regarding present stage of trial.

7. The report of the learned 2nd District and Additional Session Judge, Buxar shows that the charge was framed on 16.08.2024. It is further stated that according to list of witnesses of charge-sheet, nine witnesses are yet to be examined on behalf of the prosecution. The last prosecution witness was recorded on



09.06.2025. Non-bailable warrant has already been issued against all the remaining prosecution witnesses on 23.05.2025. It is further stated that now the case is fixed on 06.10.2025 for prosecution evidence.

8. This Court finds that there is no new ground to reconsider the bail application of the petitioner and the trial is going on.

9. In that view of the matter, the present application is again rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of six months from today.

10. If the trial is not concluded within the aforesaid period of six months, the petitioner will be at liberty to renew his prayer for bail before the learned court below.

(Rudra Prakash Mishra, J)

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