

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68345 of 2025

Arising Out of PS. Case No.-130 Year-2024 Thana- AMAUR District- Purnia

Deepak Kumar Jha @ Deepak Kumar @ Dipak Kumar Son of Sri Lalan
Kumar Jha @ Lalit Jha Resident of Dodara Madhubani P.S -Lalitgram, Dist-
Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

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

ORAL ORDER

3 14-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Sessions Trial No. 355 of 2024 arising out of Sadar Amour P.S.
Case No. 130 of 2024 instituted for the offences under Sections
364A & 34 of the Indian Penal Code.

3. This is the second attempt of the petitioner for bail.
The petitioner has renewed his prayer for grant of regular bail
which was earlier rejected on merit by this Court vide order
dated 12.11.2024 passed in Cr. Misc. No. 51623 of 2024, taking
into account the material available on record and since the
victim has specifically whispered the name of the petitioner as
one of the abductor.



4. In compliance of the order dated 19.09.2025, a report dated 25.09.2025 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that four out of five charge sheet witnesses have been examined in this case.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 24.03.2024 without any rhymes or reason, having no criminal antecedent. There is no likelihood of the trial being concluded in the near future, hence, the petitioner may be released on bail.

6. Learned APP for the State opposes the prayer for grant of bail. Learned APP has further 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, Hon'ble Apex Court has observed 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. There is no new ground to consider the bail petition of the petitioner. From the aforesaid report, it appears that the trial is going on and is on the verge of its conclusion.

8. In view of the above, the prayer for bail of the petitioner is again *rejected* with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of two months from today. If the trial is not concluded within the period of two months, as stated above, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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