

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70049 of 2025

Arising Out of PS. Case No.-238 Year-2024 Thana- FATEHPUR District- Gaya

Ramashish Manjhi @ Ashish Manjhi S/o Bishundhari Manjhi @ Bishun Manjhi @ Vishun Manjhi R/o Village- Sultranpur, P.S.- Tankuppa, Distt.- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ganesh Manjhi S/o Late Karu Manjhi R/o Village- RAushna, P.S.- Fatehpur, Distt.- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 17-11-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Fatehpur P.S. Case No. 238 of 2024 instituted for the offences under Sections 366A & 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 20.01.2025 passed in Cr. Misc. No. 63420 of 2024, taking into account the nature of accusation and the gravity of the offence.

4. In compliance of the order dated 24.09.2025, a



report dated 14.10.2025, with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that charge in this case is framed on 06.08.2025. It is further reported that one prosecution witness is examined in this case.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 11.05.2024, without any rhymes or reason, having no criminal antecedent. Learned counsel for the petitioner mainly submits that till date only one charge sheet witness has been examined in this case and there is no likelihood of the trial being concluded in the near future, hence, petitioner may be enlarged 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 which is already decided by this Court on merit. From the aforesaid report, it appears that the trial has commenced in this case.

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 four months from today. If the trial is not concluded within the period of four 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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