

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71268 of 2025

Arising Out of PS. Case No.-70 Year-2024 Thana- HABIBPUR District- Bhagalpur

Md. Chhotu @ Chhotu @ Md Shahbaz S/O Tetar @ Md. Shahid @ Md.
Sahid R/O Village- Asanandpur Jhoparpatti, P.S- Tatarpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with S.T.
No. 852 of 2024, arising out of Habibpur P.S. Case No. 70 of
2024, instituted for the offences punishable under Sections 302
and 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 by this Court vide order dated
05.03.2025 passed in Cr. Misc. No. 15536 of 2025 by taking
into account the nature of accusation and gravity of the offence.

4. Learned counsel for the petitioner submits that the
petitioner is languishing in judicial custody since 15.07.2024



without any rhymes or reason and has got no criminal antecedent. It is further submitted that out of eleven charge-sheeted witnesses, only two witnesses have been examined in this case.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. There is no new ground to consider the bail petition of the petitioner. From the aforesaid submission of learned counsel for the petitioner, it appears that the trial is in progress and two witnesses have already been examined in this case.

7. 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. However, if the trial is not concluded within the period of five months, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

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