

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73612 of 2025

Arising Out of PS. Case No.-199 Year-2024 Thana- BAKHTIYARPUR District- Patna

1. Niru Ravidas S/O Late Gajo Ravidas @ Jago Ravidas R/O Vill.- Bajidpur, P.S.- Bakhtiyarpur, Dist.- Patna
2. Jitendra Ravidas S/O Niru Ravidas R/O Vill.- Bajidpur, P.S.- Bakhtiyarpur, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 02-12-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with S.Tr. No. 1366 of 2024 arising out of Bakhtiyarpur P.S. Case No. 199 of 2024 instituted for the offences under Sections 341, 323, 307, 504, 506, 34 of the Indian Penal Code and later on, Section 302 of the Indian Penal Code was added.

3. Prosecution story, in short, is that the accused persons including the petitioners assaulted the informant and others. It is further alleged that informant's father died in course of his treatment.

4. Learned counsel for the petitioners submitted that



petitioners have falsely been implicated in the present case. Learned counsel further submitted that there is a delay of three days in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against these petitioners. It has been submitted on behalf of the petitioners that the petitioner no. 1 is in custody since 26.06.2024 and petitioner no. 2 is in custody since 28.05.2024. Petitioner no. 1 has one criminal antecedent whereas petitioner no. 2 has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned counsel further submitted that as per the report dated 31.10.2025 sent by the learned court below, trial is already in progress and out of six witnesses, four witnesses have been examined. Learned APP for the State 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, the Hon'ble Apex Court has held 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.”

6. Considering the aforesaid facts and circumstances of the case as also the present stage of trial, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, the prayer for grant of bail to the petitioners is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioners to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of four months from today.

(Rudra Prakash Mishra, J)

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