

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77390 of 2025

Arising Out of PS. Case No.-103 Year-2022 Thana- KASHICHAK District- Nawada

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Ajay Kumar @ Ajay Singh S/O Late Bhagirath Singh R/O village -
Daulachak, P.S - Kashichak, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

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

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

ORAL ORDER

2 12-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Sessions
Trial No. 150 of 2025 arising out of Kashichak P.S. Case No.
103 of 2022 instituted for the offences under Sections 302/34 of
the Indian Penal Code.

3. Earlier vide order dated 20.12.2024 passed in Cr.
Misc. No. 73368 of 2024, regular bail of the petitioner was
rejected by this Court considering the nature and gravity as also
the specific allegation against the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is languishing in judicial custody since 25.06.2024
without any rhymes or reason. He further submitted that there



are total thirteen charge-sheeted witnesses and out of which only three witnesses have been examined.

5. Learned APP for the State opposes the prayer for grant of bail. 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. There is no fresh ground to consider the bail petition of the petitioner and trial is already in progress

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 preferably within a period of six months from today. If the trial is not concluded within the period of six months, as stated above, the petitioner will be at liberty to renew his prayer before the court below.



8. The District Magistrate, Nawada and the Superintendent of Police, Nawada are also directed to produce the witnesses before the learned court concerned as and when required for expeditious conclusion of the trial within the stipulated time.

9. Let a copy of this order be communicated to the District Magistrate, Nawada and the Superintendent of Police, Nawada.

(Rudra Prakash Mishra, J)

Alok Verma/-

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