

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78845 of 2025

Arising Out of PS. Case No.-320 Year-2023 Thana- NAYA RAM NAGAR District- Munger

Lalit Yadav S/o Poshan Yadav R/o Village - Mangarh, P.S - Dharhara, District
- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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

ORAL ORDER

2 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. 165 of 2024, arising out of Naya Ramnagar P.S. Case No. 320 of 2023 instituted for the offences under Sections 302 & 34 of the Indian Penal Code and Section 27 of the Arms Act.

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 28.10.2024 passed in Cr. Misc. No. 47864 of 2024, taking into account the gravity and nature of the offence.

4. Learned counsel for the petitioner submits that the



petitioner is languishing in judicial custody since 16.12.2023 without any rhyme or reason, having four criminal antecedents. Learned counsel for the petitioner submits that three out of eleven witnesses are examined in this case and there is no likelihood of the trial being concluded in the near future. Learned counsel, therefore, prays that petitioner may be enlarged on bail.

5. 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.”

6. There is no new ground to consider the bail petition of the petitioner, which is already decided by this Court on merit.



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.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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