

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86397 of 2024

Arising Out of PS. Case No.-74 Year-2023 Thana- MOUZAHDIPUR District- Bhagalpur

Md. Afsar @ Aahil Khan S/O Md. Murshid R/O Mohalla- Maulana Chak,
Bari Mahal, PS- Mojahidpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

8 29-08-2025 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 652 of 2023, arising out of Mojahidpur P.S. Case No. 74 of 2023 registered under Sections 307, 120B, 34 of the Indian Penal Code and Section 27 of the Arms Act. Later on, Section 302 of the Indian Penal Code and Section 25 (1-b)a were added.

3. This is the second regular bail application filed on behalf of the petitioner who is in custody since 19.03.2023. Earlier, his prayer for bail was dismissed as withdrawn *vide* order dated 26.04.2024 passed in Cr. Misc. No. 85970 of 2023.

4. As per the report of learned Trial Court dated 22.05.2025, all the charge-sheet witnesses have been examined.



Only one witness who prepared the F.S.L. Report is required to be examined in this case for which proper steps have been taken to conclude the trial.

5. Learned counsel for the petitioner submits that the evidence of all the witnesses in this case has already been concluded and case is fixed for judgment.

6. Learned A.P.P. for the State opposed the prayer for bail of the petitioner at this stage, when the case is fixed for judgment, it is well settled that once the trial commences, it should be allowed to reach its final conclusion which may either result in conviction of the accused or acquittal of the accused. It is not disputed that the accused has a right to speedy trial.

7. In view of the aforesaid facts and circumstances of the case as well as the stage of the trial, prayer for bail of the petitioner is rejected.

(Sunil Dutta Mishra, J)

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