

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7238 of 2025

Arising Out of PS. Case No.-1052 Year-2019 Thana- NAGAR District- Vaishali

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Dharmendra Kumar @ Dharmendra Sahni S/O Ram Ishwar Sahni R/O
Village and P.O- Dharampur, P.S- Vaishali, Distt.- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha, Advocate

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

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

ORAL ORDER

5 01-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Vaishali
Town P.S. Case No. 1052 of 2019, (S.Tr. No. 131 of 2020 + 172
of 2020) instituted for the offences under Sections 395, 397 of
the Indian Penal Code.

3. This is the fifth attempt of the petitioner for grant of
bail. Earlier, on the first occasion, the prayer for grant of bail to
the petitioner was rejected vide order dated 26.08.2020 passed
in Cr. Misc. No. 22512 of 2020 by this Court. Thereafter, vide
orders dated 27.01.2022 and 10.05.2023 passed in Cr. Misc. No.
33758 of 2021 and Cr. Misc. No. of 48455 of 2022, respectively,
the second and third prayer of the petitioner for grant of bail was
also rejected by this Court. The four application of the petitioner



bearing Cr. Misc. No. 51868 of 2024 for grant of bail was also rejected vide order dated 13.09.2024 due to non-compliance of the earlier order dated 23.08.2024.

4. Learned counsel for the petitioner mainly submitted that the petitioner has been languishing in jail since 15.12.2019 and there is no significant progress in the trial. Learned counsel further submitted that charge has been framed and trial has also commenced and till now, 6-7 witnesses have been examined out of total 40 charge-sheet witnesses and there is no likelihood of conclusion of trial in near future and therefore, petitioner may be released on bail. It has been submitted on behalf of the petitioner that the petitioner has nine criminal antecedents.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that trial has commenced and out of 40 charge-sheeted witnesses, twelve have already been examined.

8. Having considered the submissions made on behalf of the parties, this Court finds no fresh ground to reconsider the matter which has already been decided on merit by this Court as also taking into account the present stage of trial, this Court is not inclined to grant bail to the petitioner.

9. Accordingly, the prayer for grant of bail to the



petitioner is, hereby, rejected.

10. Learned Trial Court is directed to expedite the trial and conclude the same preferably within a period of six months.

11. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of six months from today. If any such application is filed, the learned Trial Court shall consider the same on its own merit without being prejudiced by this order.

12. The District Magistrate, Vaishali and the Superintendent of Police, Vaishali are also directed to ensure the presence of the witnesses before the learned trial Court as and when required for expeditious conclusion of the trial.

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

(Rudra Prakash Mishra, J)

Alok Verma/-

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