

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.77 of 2025

Arising Out of PS. Case No.-287 Year-2022 Thana- DAUDPUR District- Saran

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1. XXX, S/O XXXX, Under Guardianship of his father namely XXXX aged about 60 years, Gender- Male, Son of Late XXXXX, Resident Of Village- Khadrahiya, P.S- Daudpur, Distt.- Saran at Chapra.
 2. XXX, S/O XXXX, Under Guardianship of his father namely XXXX, Aged about 39 years, Gender- Male, Son of Late XXXXX, Resident of Village- Khadrahiya, Police Station- Daudpur, Distt.- Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bindhyachal Singh, Senior Advocate
		Mr. Ram Binod Singh, Advocate
For the Informant	:	Mr. Amrendra Kumar, Advocate
For the State	:	Mrs. Abha Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 04-04-2025 Heard Mr. Bindhyachal Singh, learned senior counsel for the appellants, Mr. Amrendra Kumar, learned counsel for the informant and Mrs. Abha Singh, learned APP for the State.

2. The Criminal Appeal has been filed under Section 101(5) of the Juvenile Justice (Care and Protection of Children) Act, 2015 against the order dated 22.11.2024 passed by the Court of learned 1st Additional Sessions Judge, Saran at Chapra in connection with Children Court Case No. 05 of 2023 arising out of Daudpur P.S. Case No. 287 of 2022 registered for the offences punishable under Sections 302 and 120 B read with



Section 34 of the Indian Penal Code (in short 'IPC') by which the appellants' prayer for bail has been rejected.

3. Mr. Bindhyachal Singh, learned senior counsel appearing for the appellants submits that the appellants earlier filed a petition with a prayer to release them on bail before the trial court which was rejected and that order was challenged before this Court by way of Cr. Appeal (SJ) No. 3786 of 2023 and that appeal was dismissed by this Bench with a direction to the trial court to expedite the trial of the appellants and conclude the same in the next nine months from the date of that order, i.e., 01.04.2024 and thereafter, the said period of nine months has elapsed but still the appellants are facing trial and they have been languishing in remand home since 23.11.2022. The appellants again moved before the trial court to get the relief of bail which has been rejected by impugned order which is under challenge in this appeal. It is further submitted that both the appellants have fair and clean antecedent and they *suo moto* surrendered before the Juvenile Justice Board on 23.11.2022 and there is no complain regarding their behaviour during the said custody period in remand home.

4. Mr. Amrendra Kumar, learned counsel appearing for the informant as well as Mrs. Abha Singh, learned APP for



the State has opposed the prayer of the appellants.

5. Heard both the sides and perused the order impugned. The status report of the trial of the appellants has been called for and the same has been received which goes to show that all the prosecution witnesses in the trial of the appellants have been examined and the trial of the appellants is at the verge of ending, though, the appellants have been languishing in remand home since 23.11.2022 but it will not be proper to release them on bail at this stage of their trial, so, considering this aspect, this Court finds no merit in this appeal and appellants' prayer has been rightly rejected by the trial court. Accordingly, the instant appeal stands dismissed.

6. The trial court is directed to take steps to conclude the trial of the appellants as early as possible preferably in the next two months and send the progress report of appellants' trial to this court.

(Shailendra Singh, J)

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