

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3534 of 2026

Arising Out of PS. Case No.-162 Year-2025 Thana- RAGHOPUR District- Supaul

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Lokesh Kumar @ Lokesh Poddar, Son of Gopal Poddar, Resident of Village-
Gandhinagar, Simarahi Bazar, Nagar Panchyat, P.S. -Raghopur, District -
Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 30-01-2026 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with S.T.
Case No. 284 of 2025, arising out of Raghopur P.S. Case No.
162 of 2025, registered for the offence(s) punishable under
Section(s) 126(2), 115(2), 118(1), 109, 351(2), 352 of the
B.N.S.

3. The main submissions advanced by petitioner's
counsel are that this is the second attempt of the petitioner to get
the relief of regular bail, though his earlier prayer has already
been rejected by this Bench vide order dated 10.09.2025 passed
in Cr. Misc. No. 64314 of 2025 giving the petitioner a liberty to
renew his bail prayer either after the examination of the victim



in his trial or after three months, in case the prosecution failed to produce the victim before the trial court and in the light of the said liberty the petitioner has renewed his prayer. It is further submitted that despite lapse of more than three months the victim, the sole injured has not been produced by the prosecution in the trial of the petitioner and in this regard, the last order sheets of the trial court filed with this petition may be perused which clearly shows that for securing the presence of the prosecution witnesses, summons and bailable warrants have been issued and yet on last three dates, no prosecution witness turned up before the trial court which shows the lingering attitude of the prosecution and also withholding of the material witness of the prosecution thereby frustrating the petitioner's prayer for bail. It is lastly submitted that the petitioner bears no criminal antecedent and has been languishing in jail since 18.05.2025 and in the prosecution story, the prosecution has not been able to show the motive of the petitioner to commit the alleged murderous attempt upon the informant's brother.

4. Though, learned APP appearing for the State has opposed the bail prayer of the petitioner but fairly accepts that there has been no progress in the trial of the petitioner and despite issuance of processes, the main witness of the



prosecution who is injured, has not been produced before the trial court.

5. Considering the aforesaid submissions and mainly taking into account the prosecution's lingering attitude in producing and examining the most material witness despite laps of more than three months coupled with petitioner's custody period and his fair and clean antecedent as well as his young age, this court is now inclined to release him on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with S.T. Case No. 284 of 2025 arising out of Raghapur P.S. Case No. 162 of 2025.

(Shailendra Singh, J)

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