

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4881 of 2026

Arising Out of PS. Case No.-31 Year-2024 Thana- KARJA District- Muzaffarpur

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Avinash Kumar, Son of Tarkeshwar Giri, Resident of Village - Nawada, P.S.-
Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, 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.Tr. No. 568 of 2024, arising out of Karja P.S. Case No. 31 of
2024, registered for the offence(s) punishable under Section(s)
392, 395 of the Indian Penal Code and section 27 of the Arms
Act.

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 29.11.2024 passed
in Cr. Misc. No. 77761 of 2024 giving him a liberty to renew his
bail prayer, in case no significant progress is made in his trial
within one years and despite lapse of the said period there has



been no significant progress in the trial of the petitioner as only one prosecution witness has been examined so far though the petitioner has been in custody since 12.03.2024 and as far as the merit of the allegation is concerned, the petitioner is not named in the FIR, he has been dragged in the present matter mainly on the basis of his confessional statement which is said to have been recorded by him in Paroo P.S. Case No. 35 of 2024. It is lastly submitted that all the co-accused persons have been granted bail by this Bench vide order dated 26.07.2024 and 25.10.2024 passed in Cr. Misc. No. 33023 of 2024 and Cr. Misc. No. 49780 of 2024 respectively (Annexure- P/3) and there is no admissible incriminating evidence against this petitioner.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner and submits that against the petitioner there are criminal antecedents of three cases, which was mainly taken into account by this court while rejecting the first prayer of the petitioner.

5. Considering the aforesaid submissions and mainly taking into account the slow pace of the prosecution in producing and examining the prosecution witnesses in the trial of the petitioner coupled with the petitioner's custody period which has already been about one year and ten months and the



fact that co-accused persons have already been granted the relief of bail, in my opinion, in the said circumstances, the petitioner now deserves to the relief of 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.Tr. No. 568 of 2024, arising out of Karja P.S. Case No. 31 of 2024,

(Shailendra Singh, J)

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