

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6318 of 2026

Arising Out of PS. Case No.-74 Year-2020 Thana- GWALPARA District- Madhepura

Rupesh Kumar Son of Sri Suresh Das R/o Village - Shitalpatti, Ward no. 09,
Madhepura Tola(Kanp), P.S. - Saur Bazar(Patarghat O.P.), Dist. - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh, Adv

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt on behalf of the petitioner for grant of bail in connection with Gwalapara P.S.Case No.74 of 2020 registered for the offence punishable under Sections 307 and 394 of the Indian Penal Code and section 27 of the Arms Act.

3. Earlier the bail application of the petitioner has been rejected vide order dated 12.02.2025 passed in Cr. Misc. No.68301 of 2024, which reads as under:-

*Heard learned counsel for the
petitioner and learned APP for the State.*

*2. The petitioner seeks regular
bail in connection with Gwalapara
P.S.Case No.74 of 2020 registered for the
offence under sections 307 and 394 of the*



Indian Penal Code and section 27 of the Arms Act.

3. The petitioner and another co-accused have forcibly taken away the motorcycle of the informant. Petitioner is named in the FIR. He has two criminal antecedents including another case under Section 392. He is in jail since 12.06.2024.

4. Considering the allegation levelled against the petitioner, I am not inclined to grant bail to the petitioner.

7. Accordingly, this application for regular bail is dismissed.”

4. Learned counsel for the petitioner submits that the charge has not been framed and the trial has been delayed by the prosecution witness.

5. Considering the gravity of the offence and the fact that the trial has started, I am not inclined to review my earlier order.

6. Accordingly, the application stands dismissed.

7. The trial court is directed to frame the charge and proceed with the trial and in any case the trial is delayed, the prosecution may renew his prayer for bail.

(Sandeep Kumar, J)

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