

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8238 of 2026

Arising Out of PS. Case No.-232 Year-2022 Thana- BAIRIYA District- West Champaran

Pradeep Yadav @ Amit Yadav @ Amit Kumar S/O Madan Yadav R/O village
- West Kargahiya, Jamadar Tola, P.S.- Kalibagh, Distict- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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

ORAL ORDER

2 03-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Bairiya
P.S. Case No. 232 of 2022 instituted for the offences under
Sections 341, 323, 324, 307, 302, 120B & 34 of the Indian
Penal Code.

3. This is the second attempt of the petitioner for bail.
The petitioner has renewed his prayer for grant of regular bail
which was earlier rejected on merit by this Court vide orders
dated 14.03.2023 and 25.06.2025, passed in Cr. Misc. No.
71262 of 2022 & Cr. Misc. No. 18108 of 2025, respectively,
taking into account the nature and gravity of the offence.

4. Learned counsel for the petitioner submits that the



petitioner is languishing in judicial custody since 17.01.2025 without any rhymes or reason, having two (2) criminal antecedents. Learned counsel for the petitioner submits that all the four (4) out of nine (9) charge sheet witnesses have been examined, and there is no significant progress in the trial. Learned counsel, therefore, submits that there is no likelihood of the trial being concluded in the near future. It is lastly submitted that petitioner has suffered long incarceration, hence, he may be enlarged on bail.

6. Learned APP for the State opposes the prayer for grant of bail. Learned APP has further relied upon a decision of the Hon'ble Apex Court reported in **2024 SCC Online SC 3539 (X. vs. State of Rajasthan & Anr.)**, wherein in paragraph No.14, Hon'ble Apex Court has observed as under:

“14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.”

7. There is no new ground to consider the bail petition



of the petitioner, which is already decided by this Court on merit. It is also explicit that the trial is at an advance stage.

8. In view of the above, the prayer for bail of the petitioner is again *rejected* with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of three months from the date of receipt/production of a copy of this order. If the trial is not concluded within the period of three months, as stated above, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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