

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11021 of 2026

Arising Out of PS. Case No.-136 Year-2023 Thana- BARARI District- Katihar

Rakesh Kumar @ Rakesh Mehta son of Prakash Mehta @ Jai Prakash Singh
Resident of village- Gandhigram, PS- Barari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Bhola Prasad, Advocate
		Mr. Akhauri Kamal Kishore Sahay, Advocate
For the State	:	Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 18-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with ST-653/2023, arising out of Barari P.S. Case No.136 of 2023, for the offences punishable under Sections 302 and 120B/34 of the Indian Penal Code and Section 25(1-B)(a), 26 and 27 of the Arms Act.

3. This is the third attempt of the petitioner for grant of bail. Earlier vide detailed order dated 23.01.2024 passed by a Bench of this Court in Cr. Misc. No.65535 of 2023 and order dated 28.11.2025 passed by this Court in Cr. Misc. No.56087 of 2025, the prayer for bail of the petitioner had been rejected. However, while rejecting the prayer for bail of the petitioner



vide order dated 23.01.2024, the learned Trial Court was directed to expedite the trial and conclude the same as soon as possible.

4. The present application has been filed renewing the prayer for bail on the ground that the trial has not been concluded as yet.

5. By order dated 18.02.2026, a report was called for from the learned Court below regarding the stage of the trial and the time likely to be taken in conclusion of the trial. In compliance of the same, the learned Court below has sent a report dated 23.02.2026 in which, *inter alia*, it is stated that presently the case is pending at the stage of prosecution evidence and nine prosecution witnesses have been examined. The report further reveals that the trial of this case is likely to be concluded expeditiously, after the examination of the witnesses, within a period of six to eight months.

6. Learned Additional Public Prosecutor for the State opposes the prayer for bail considering the allegations and the stage of the case.

7. Taking into consideration the facts and circumstances of the case and considering the fact that the prayer for bail was earlier rejected by a Bench of this Court and



also by this Court on merits, I find no reason to take a different view, especially on the background of the fact that nine prosecution witnesses have already been examined, coupled with the fact that there is direct allegation of opening fire causing death of the deceased.

8. Accordingly, the prayer for bail of the petitioner is hereby once again rejected. However, the learned Trial Court is directed to hold the trial on day to day basis and conclude the same preferably within a period of six months.

(Soni Shrivastava, J)

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