

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10633 of 2026

Arising Out of PS. Case No.-14 Year-2020 Thana- LUTUA District- Gaya

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Ramesh Bhuiyan @ Golu @ Umesh @ Golu Bhuiyan S/o Late Badan Manjhi
@ Late Badhan Bhuiyan R/o Vill- Shankarpur, P.S.- Lutua, Dist- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-03-2026 Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no.1083 of 2023, 1595 of 2023 arising out of Lutua P.S. Case no.14 of 2020 registered under sections 302, 147, 148, 149, 323, 341, 448 and 427 of the Indian Penal Code and sections 3 and 4 of Prevention of Witch (Dain) Practices Act.

3. As per the prosecution case, the informant states that the nine named accused persons including the petitioner herein came variously armed and brutally assaulted the husband of the informant. It is further stated that the petitioner assaulted the informant's husband with a khanti on his head leading to his death on the spot.

4. It is submitted by learned counsel for the petitioner that



inspite of the petitioner having remained in custody since 27.11.2020 i.e. for more than 5 years, there is no progress whatsoever in the trial in the learned trial Court and not a single witness has been examined on behalf of the prosecution. The petitioner has a good case on merits and has been falsely implicated in the case. He undertakes to abide by any conditions which may be laid by this Court for his release on bail.

5. The application for bail is opposed by learned APP for the State.

6. A report with respect to stage of the trial was called for from the learned trial Court. As per the report received contained in letter dated 20.2.2026, charge was framed against the petitioner and others on 28.7.2025. The report further states that there are ten charge-sheeted witnesses and inspite of issuance of summons andailable warrants against the witnesses, not a single witness has been examined on behalf of the prosecution.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner having remained in custody for more than five years since 27.11.2020 and the contents of the report received from the learned trial Court from which it transpires that inspite of



issuance of summons andailable warrants, not a single witness has been examined on behalf of the prosecution though charge was framed more than six months back on 28.7.2025, in the facts of the case, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.1083 of 2023, 1595 of 2023 arising out of Lutua P.S. Case no.14 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge, Sherghati, Gaya on the following conditions:

(i) The petitioner shall remain physically present in Court on each date of the trial and shall cooperate in the trial.

(ii) In case the petitioner is absent on any single date for reasons not to the satisfaction of the learned trial Court or the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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