

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15590 of 2026

Arising Out of PS. Case No.-117 Year-2024 Thana- BELCHHI District- Patna

Krishna Kumar @ Vikash Kumar @ Vikash Kumar Pandey S/O Shrawan
Kumar Pandey @ Shrawan Pandey @ Vijay Krishna Pandey R/O village-
Gopalpur, PS- Belcchi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratyush Pratap Singh, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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

ORAL ORDER

2 11-03-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Belcchi P.S. Case No. 117 of 2024, instituted for the offences
under Sections 103(1), 61(2), 3(5) of the Bharatiya Nyaya
Sanhita, 2023 and Section 27 of the Arms Act.

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 by this Court vide order dated
06.05.2025 passed in Cr. Misc. No. 6971 of 2025 taking into
consideration the nature and gravity of the offence as also there
being direct allegation of firing against the petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is languishing in judicial custody since 15.07.2024 without any rhymes or reason and has got no criminal antecedent. It is further submitted that charge has already been framed against the petitioner on 19.11.2025 and the trial has commenced after framing of charge but no any witness has been examined in this case.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State 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, the Hon'ble Apex Court has held 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.”

6. There is no new ground to consider the bail petition of the petitioner. From the aforesaid submission, it appears that the trial has commenced.



7. 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 preferably within a period of six months from today. If the trial is not concluded within the period of six months, as stated above, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

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