

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13493 of 2026

Arising Out of PS. Case No.-120 Year-2020 Thana- PIYAR District- Muzaffarpur

Umashankar Prasad S/o Late Ramdayal Prasad R/o Village- Lautan, P.S-
Sakra, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raju Kumar, Advocate Mr. Shubham Samrat, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, APP

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

ORAL ORDER

3 03-04-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Piar P.S.
Case No. 120 of 2020 instituted for the offences under Section
302 of the Indian Penal Code.

3. Earlier vide order dated 24.04.2025 passed in Cr.
Misc. No. 4490 of 2025 regular bail of the petitioner was
rejected by this Court considering the direct and specific
allegation against the petitioner.

4. In compliance of the order dated 25.02.2026 a report
dated 07.03.2026 with regard to the present stage of trial has
been received. From perusal of the aforesaid report, it appears
that there are altogether seven prosecution witnesses and out of



them, three have been examined.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 31.07.2024 without any rhymes or reason.

6. Learned APP for the State opposes the prayer for grant of bail. 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.”

7. There is no fresh ground to consider the bail petition of the petitioner as also since the trial is going on, this Court is not inclined to grant bail to the petitioner.

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 four months from today. If the trial



is not concluded within the period of four months, as stated above, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

Alok Verma/-

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