

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17267 of 2026

Arising Out of PS. Case No.-373 Year-2023 Thana- GAURICHAK District- Patna

1. Ramashray Das @ Ramashraya Das S/o Late Sita Das R/o vill - Bakarchak,
P.S.- Gaurichak, Distt.- Patna
2. Laxman Das @ Lakchhman Das S/o Late Sita Das R/o vill - Bakarchak,
P.S.- Gaurichak, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Arvind Kumar
For the Opposite Party/s	:	Mr. Madhuri Lata
For the Informant	:	Mr. Santosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 01-05-2026 Heard the learned Senior Counsel for the petitioners

and the learned APP for the State as well as the learned counsel

for the informant.

2. This is the third attempt of the petitioners seeking

bail in connection with Gaurichak P.S. Case No. 373 of 2023,

registered for the offences under Sections 147, 148, 149, 341,

323, 447, 448, 302, 504, 506, and 34 of the Indian Penal Code.

3. Earlier, the bail applications of the petitioners were

rejected on two occasions: first on 27.02.2024 in Cr. Misc. No.

73453 of 2023, and secondly on 11.07.2025 in Cr. Misc. No.

27001 of 2025. The order dated 11.07.2025, in respect of the

two petitioners, reads as follows:



Heard the learned counsel for the petitioners and the learned APP for the State.

2. This is the 2nd attempt of the petitioners. Earlier the bail application of the petitioners was rejected vide order dated 27.02.2024 passed in Cr. Misc. No. 73453 of 2023 .

3. The petitioners seek regular bail in a case registered for the offence under Sections 147, 148, 149, 341, 323, 347, 448, 302, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms act.

4. The following order was passed on 27.02.2024 in Cr. Misc. No. 73453 of 2023:-

Heard the learned senior counsel for the petitioners; Mr. Krishna Pd. Singh and learned APP for the State and Mr. Dinkar Kumar for the informant.

2. The petitioners seek regular bail in a case registered for the offence under Sections 147, 148, 149, 341, 323, 447, 448, 302, 504, 506, 34 of the Indian Penal Code.

3. As per the prosecution case, petitioners are members of a extremist gang namely P.F.I. Petitioners along with other criminals are said to have killed the deceased.

4. The petitioners are accused in six more cases. Petitioners are in jail since 27.06.2023.

5. Considering the criminal antecedents of the petitioners and the fact that petitioners are members of extremist organization, I am not inclined to grant bail to the petitioners. This application for regular bail is dismissed.

6. The court below is directed to expedite the trial of the petitioners.

5. From the report of the District and Additional Sessions Judge-V, Patna City, it appears that the petitioners and other accused persons are delaying the trial. Now the charge has been framed.

6. The SHO of Gaurichak Police Station is directed to ensure the attendance of the witnesses on the dates fixed in the court below.

7. In view of the above, this application is dismissed.

8. Let a copy of this order be communicated to the Senior Superintendent of Police, Patna through FAX for its compliance forthwith.



4. It is submitted that, due to inadvertence in the order dated 27.02.2024 passed in Cr. Misc. No. 73453 of 2023, the term “IPF” has been wrongly recorded as “PFI”.

5. In view of the above, it is prayed that the term “PFI” appearing in the order dated 27.02.2024 in Cr. Misc. No. 73453 of 2023, as well as in the order dated 11.07.2025 passed in Cr. Misc. No. 27001 of 2025, be read as “I.P.F.”

6. The learned Senior Counsel for the petitioners submits that the petitioners are in custody since 27.06.2023 and the trial is being delayed. He further submits that altogether two witnesses out of four witnesses have only been examined.

7. The learned counsel for the informant, Mr. Santosh Kumar, on instructions submits that two witnesses have already been examined and the third witnesses has given his attendance in the trial court but due to the non-cooperation of the defence, he could not be examined.

8. Considering the gravity of the offence and the fact that the trial is going to be concluded in the near future, this application is dismissed. The petitioners and other accused are directed to cooperate in the trial.

9. It is made clear that any observation made herein is



prima facie in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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