

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16883 of 2026**

Arising Out of PS. Case No.-404 Year-2023 Thana- SAUR BAZAR District- Saharsa

Sintu Kumar @ Saltu Kumar S/o Late Vinay Prasad Yadav @ Late Vinay Yadav Resident of Village- Morkahi Ward No. 3, P.S.- Saurbazar (Pastpar O.P.), Saharsa, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

Mr. Pawan Kumar, Advocate

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

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

ORAL ORDER

3      01-05-2026                      Heard learned senior counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with S.T. No. 145 of 2025 arising out of Saurbazar P.S. Case No. 404 of 2023 instituted for the offences under Sections 302, 506/34, 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. Earlier, vide order dated 27.09.2024 passed in Cr. Misc. No. 50199 of 2024 and again vide order dated 20.06.2025 passed in Cr. Misc. No. 36022 of 2025, regular bail of the petitioner was rejected twice by this Court considering the direct allegation of firing against the petitioner.

4. In compliance of the order dated 11.03.2026 a report



dated 08.04.2026 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that there are total nine charge-sheeted witnesses but none of them have been examined.

5. Learned senior counsel for the petitioner submits that the petitioner is languishing in judicial custody since 16.03.2024 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. From the aforesaid report, it appears that the trial has commenced.

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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