

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21359 of 2026

Arising Out of PS. Case No.-422 Year-2024 Thana- FORBESGANJ District- Araria

Brajesh Kumar Mehta S/O Sri Rajaram Mehta R/O vill.- Rampur Basgara
ward no.- 3,P.O- Pachhiyari Jhirwa, P.S- Forbesganj, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sitaram Prasad, Advocate
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP
For the Informant	:	Mr. Santosh Kumar, Advocate

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

ORAL ORDER

2 03-04-2026 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Forbesganj P.S. Case No. 422 of 2024, instituted for the offences under Sections 341, 323, 324, 307, 302, 147, 148, 149, 354(B), 504 and 506 of the Indian Penal Code.

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 23.04.2025 passed in Cr. Misc. No. 3903 of 2025 taking into consideration the nature and gravity of the offence.

4. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 18.07.2024



without any rhymes or reason and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submits that the petitioner is named in the FIR. Learned counsel for the informant also submits that the trial is in progress and all the witnesses have been examined in this case except I.O. Hence, the petitioner does not deserve the privilege of bail. Learned counsel for the informant 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. Considering the present stage of the case, it appears that the trial is going on and is at an advance stage.



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.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

