

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22516 of 2026

Arising Out of PS. Case No.-335 Year-2024 Thana- BANIAPUR District- Saran

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Rohit Pandey@ Rohit Kumar @ Dhuman Kumar @ Dhiman Kumar@
Dhumal Kumar S/O Jaymangal Singh @ Jay Mangal Singh Resident Of
Village - Rajauli, P.S- Baniyapur, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Binod Singh, Advocate

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

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Sessions
Trial No. 1052 of 2024 arising out of Baniyapur P.S. Case No.
335 of 2024 instituted for the offences under Sections 103(1),
3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of
the Arms Act.

3. Earlier, vide order dated 15.09.2025 passed in Cr.
Misc. No. 67192 of 2025, regular bail of the petitioner was
rejected by this Court considering the direct allegation of firing
against the petitioner.

4. In compliance of the order dated 03.04.2026 a report
dated 13.04.2026 with regard to the present stage of trial has



been received. From perusal of the aforesaid report, it appears that there are twelve charge-sheeted witnesses and out of which four have been examined. It is further reported that trial is likely to be concluded in six months.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 04.09.2024 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.

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 five months from today. If the trial is not concluded within the period of five 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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