

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21369 of 2026

Arising Out of PS. Case No.-760 Year-2022 Thana- BIHPUR District- Bhagalpur

Kanhaiya Chaudhary Son of Manoj Chaudhary Resident of Village -
Sonbarsha, P.S.- Bihpur, District - Bhagalpur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
	:	Mr. Rakesh Singh, Advocate
For the Opposite Party/s	:	Md. Aslam Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
23.05.2023 in connection with Bihpur P.S. Case No. 760 of
2022 for the offences punishable under Sections 307, 302,
120(B) read with Section 34 of the IPC.

3. The case of prosecution in brief is that on 29-12-
2022 at about 12:00 hours the informant and her husband,
namely, Sunil Singh and her daughter get on the boat at Harun
Ghat to cross Ganga river. At the same time, accused petitioner,
namely, Kanhaiya Choudhary and Manoj Choudhary also get on
the boat along with three unknown. After crossing the river
Ganga when the informant, her husband and her daughter get



down from the boat Kanhaiya Choudhary first asked the name from Sunil Singh and thereafter Kanhaiya Choudhary fired upon him after abusing. Informant went towards the village to call co-villagers who took the victim Sunil Singh for treatment and in the course of treatment victim Sunil Singh succumbed to death.

4. Earlier the bail petition was rejected vide order dated 17.05.2024 passed in Cr. Misc. No. 12651 of 2024 by the Coordinate Bench of this Court, thereafter, the petitioner again moved this Court vide order dated 29.01.2026 passed in Cr. Misc. No. 5507 of 2026 but the same was withdrawn. Learned counsel for the petitioner submits that petitioner is in custody since 23.05.2023 and trial has not been progressed although there is direct and specific allegation against the petitioner in the FIR. Vide order dated 10.04.2026, the report was called for with regard to the stage of the trial. Report dated 20th May, 2026 of the learned trial court reveals that out of six charge-sheet witnesses, all charge-sheet witnesses have been examined and prosecution witness has been closed on 24.04.2026 itself. After that defence counsel has produced four defence witnesses and defence witness has been closed on 15.05.2026 and now the case is fixed for argument.

5. The learned Additional Public Prosecutor for the



State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

7. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Bihpur P.S. Case No. 760 of 2022 pending in the court of learned Additional Sessions Judge III, Naugachia. However, the learned trial court is directed to expedite and conclude the trial at the earliest.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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