

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1255 of 2026

Arising Out of PS. Case No.-141 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Ravi Jaiswal @ Ravi Kumar Jaiswal S/o- Kishore Prasad Jaiswal R/v- Lal
Kothi Road Ps- Katihar Town Dist- Katihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Dinesh Paswan S/o- Late Gorelal Paswan R/v- Driver Tola Ps- Katihar Town
Dist- Katihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Himanshu Praveer, Advocate
For the State	:	Mr. Sadanand Paswan, SPP
For the Informant	:	Mr. Satish Kumar Sinha, Advocate

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

ORAL ORDER

3 15-05-2026 Heard learned counsel for the appellant and learned SPP
for the State as also learned counsel for the informant.

2. The instant appeal has been filed by the appellant against the order dated 29.01.2026, passed by learned District and Additional Sessions Judge-1st-cum-Special Judge, SC/ST Act, Katihar whereby the prayer for bail of the appellant in connection with Katihar Nagar PS Case No. 141 of 2024 under Sections 302, 120(B) & 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. This is the second attempt of the appellant for bail. The appellant has renewed his prayer for grant of regular bail which was earlier rejected on merit by this Court vide order



dated 07.08.2025, passed in Cr. Appeal (SJ) No. 2135 of 2025, taking into account nature and gravity of offence as also there being ample material against the appellant to show his involvement in the commission of murder of the deceased.

4. In compliance of the order dated 10.04.2026, a report dated 04.05.2026, with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that seven (7) out of fourteen (14) prosecution witness have been examined in this case. It is further reported that trial is likely to be concluded within a period of three months

5. Learned counsel for the appellant submits that the appellant is languishing in judicial custody since 15.03.2024, without any rhymes or reason, having five criminal antecedents. Learned counsel for the appellant submits that there is no likelihood of the trial being concluded in the near future, hence, petitioner may be enlarged on bail.

6. Learned SPP for the State and learned counsel for the Informant opposes the prayer for grant of bail. Learned APP has further 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, Hon'ble Apex Court has observed 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 new ground to consider the bail petition of the appellant. From the aforesaid report, it appears that the trial has started.

8. In view of the above, the prayer for bail of the appellant is again ***rejected*** with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of three months from today. If the trial is not concluded within the period of three months, as stated above, the appellant will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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