

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28629 of 2026**

Arising Out of PS. Case No.-536 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Sumit Kumar Singh @ Sumit Kumar S/O Panchlal Singh R/O Sadhopur, P.O.  
Bosi, P.S.- Rangera, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Subhash Kumar, Advocate

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

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

ORAL ORDER

2      08-05-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with S.T. No.  
348 of 2024 arising out of Saharsa Sadar P.S. Case No. 536 of  
2024 instituted for the offences under Sections 304B, 120B, 302  
of the Indian Penal Code.

3. Earlier, vide order dated 05.08.2025 passed in Cr.  
Misc. No. 32580 of 2025, regular bail of the petitioner was  
rejected by this Court considering the nature and gravity of  
offence. This is the second attempt of the petitioner for grant of  
bail.

4. Learned counsel for the petitioner submits that the  
petitioner is languishing in judicial custody since 05.06.2024



without any rhymes or reason. He further submits that there are ten charge-sheeted witnesses and out of them, six have been examined.

5. 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.”*

6. There is no fresh ground to consider the bail petition of the petitioner.

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.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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