IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37091 of 2026

CNR No. BRHC010462672026

Arising Out of PS. Case No.-346 Year-2024 Thana- DURAULI District- Siwan

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Binod Rajbhar @ Binod Kumar Son of Jhamlal Rajbhar Resident of Village - Chakari, P.S.- Darauli, District – Siwan. ... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL ORDER

8 20-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Darauli P.S. Case No. 346 of 2024, S. Tr. No. 237 of 2025 registered for the offences punishable under Sections 191(3), 191(2), 126(2), 118(1), 190, 103(2) and 61(2)(a) of BNS.

3. As per prosecution case, petitioner and co-accused Sunny Deol Rajbhar are alleged to have indiscriminately assaulted the informant’s father by means of gadasa.

4. Learned counsel for the petitioner fairly submits that prayer for bail of the petitioner has already been rejected on merit vide Cr. Misc. No. 43037 of 2025 on 01.09.2025 by the Co-ordinate Bench of this Court. Petitioner is in custody since

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19.11.2024 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that since the date of rejection of prayer of bail to the petitioner more than one year has been elapsed and he has renewed his prayer for bail. He further submits that delay trial is not in any way attributable to the petitioner as he is in custody since 19.11.2024.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that there is no need to take second opinion on merit as prayer for bail of the present petitioner has already been rejected on the basis of material available on record. He further submits that as per the *post mortem* report, the cause of death is due to haemorrhage and shock caused by sharp cutting object corroborating the allegation as alleged in the prosecution story and the trial is at the fag end. Hence, the petitioner does not deserve bail.

6. In pursuance of the order of this Court, the learned trial court has sent its report which reveals that out of four prosecution witnesses, three prosecution witnesses have already been examined and I.O. is yet to be examined.

7. Considering the facts and circumstances of the

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case, nature of allegation levelled against the petitioner coupled with the *post mortem* report, prayer for bail of the petitioner has already been rejected on merit and there is no need to take second opinion on the prayer for bail of the petitioner and trial is at the fag end, I am not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner stands rejected.

9. However, the trial court is directed to take steps to conclude the trial as early as practicable.

10. The District Magistrate, Siwan and the Superintendent of Police, Siwan are hereby directed to take reasonable steps for production of the I.O. for conclusion of the trial as the case is pending for the examination of I.O.

(Alok Kumar Pandey, J)

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