

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33339 of 2025

Arising Out of PS. Case No.-40 Year-2023 Thana- MANSI RAIL P.S. District- Khagaria

Shubhankar Kumar @ Subhankar Kumar S/O Raman Kishore Yadav @
Raman Yadav R/O Village- Rohiyar, PS- Mansi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Singh

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 10-02-2026 Heard the parties.

2. This is the second attempt of the petitioner for grant of regular bail in connection with Sessions Trial No. 263 of 2024 arising out of Mansi Rail P.S. Case No. 40 of 2023 registered for the offence under Sections 302/34 of the Indian Penal Code and under Section 27 of the Arms Act. Earlier the bail application of the petitioner was rejected vide order dated 04.10.2024 passed in Cr. Misc. No. 43507 of 2024 which reads as under:-

*Heard learned counsel for the petitioner
and learned Additional Public Prosecutor for the
State.*

*2. The petitioner seeks bail in connection
with Mansi Rail P.S. Case No. 40/2023 registered
for the offence punishable under Sections 302/34 of*



the Indian Penal Code and Section 27 of the Arms Act.

3. The petitioner is said to have fired at the deceased and killed him. It has been alleged that the petitioner had hosted a feast and in that feast, all the accused persons and the deceased had gone and while returning, the occurrence took place.

4. The petitioner is said to have fired at the deceased and killed him. This fact has been supported by the informant and other witnesses. Though it has been submitted by learned counsel for the petitioner that the informant is not an eye witness. The petitioner is in jail since 19.09.2023.

5. Considering the aforesaid facts of this case, I am not inclined to grant bail to the petitioner and therefore, the present bail application is hereby rejected.

6. The trial court is directed to expedite the trial. If the trial is delayed by the prosecution, then the petitioner may renew prayer for bail.

3. It has very fairly been submitted by the learned counsel for the petitioner that the charges have been framed in this case and trial has started. He further submits that in the trial, one witness has already been examined.

4. Considering the gravity of the offence and the fact that the trial has started, this court finds no ground to review its earlier order.



5. Accordingly, this application is dismissed.

6. The trial Judge is directed to separate the trial of the petitioner and conclude the same at the earliest.

7. The Superintendent of Police, Khagaria is directed to ensure the attendance of the witnesses in the trial.

8. Let a copy of this order be communicated to the Principal District and Sessions Judge, Khagaria and Superintendent of Police, Khagaria through FAX for its compliance.

(Sandeep Kumar, J)

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