IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42388 of 2026

CNR No. BRHC010513882026

Arising Out of PS. Case No.-184 Year-2024 Thana- LODIPUR District- Bhagalpur

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Ritesh Kumar Mehta @ Bablu, Son of Late Rajendra Prasad Mehta, R/o- Lodipur Near Co-operative Bhawan, P.S.- Lodipur, Dist.- Bhagalpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate
Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr.Tapeshwar Sharma,, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

7 06-11-2026 Heard learned senior counsel for the petitioner and learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 174 of 2025, arising out of Lodipur P.S. Case No. 184 of 2024 for the alleged offences under Sections 103(1), 251(2), 252, 3(5) of BNS and Section 27 of the Arms Act.

3. As per prosecution case, the petitioner shot dead his elder brother.

4. The learned senior counsel for the petitioner submits that this is second attempt of the petitioner to seek bail from this Court. Earlier, the prayer for bail of the petitioner was

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rejected vide order dated 16.09.2025 passed in Cr. Misc. No. 47216 of 2025. The learned senior counsel further submits that all the witnesses named in the charge sheet as well as the officer of the Forensic Science Laboratory have been examined. However, vide order dated 17.10.2026, the learned trial court, on the application of prosecution, allowed the prosecution to examine seven more witnesses in this case. The petitioner is already in custody since 14.12.2024 and in this manner, there is no likelihood of conclusion of trial in near future.

5. The learned APP vehemently opposes the submission made on behalf of the petitioner. The learned APP submits that no fresh ground has been brought on record for reconsideration of prayer of bail and the period of custody could not be a ground.

6. Having regard to the facts and circumstances and submission made on behalf of the parties, I do not find any new ground to reconsider the prayer for bail of the petitioner at this stage.

7. Hence, his prayer for grant of bail is rejected.

8. From perusal of records, I find that communication dated 19.08.2026 of learned trial court is on record wherein it has been submitted that the court would take steps for

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concluding the trial within three months, if delaying tactics is not adopted by either side. Thereafter, another report dated 09.10.2026 was received wherein it has been mentioned that the matter has been fixed for 13.10.2026 for examination of officer of FSL.

9. Now, the learned senior counsel has submitted that the prosecution has been allowed to examine seven more witnesses. I do not know the reasons for allowing the application, but in any case, it has been allowed and, therefore, it is incumbent upon the learned trial court to proceed in the matter showing urgency and fix the matter for hearing on day to day basis till the conclusion of trial. Considering the fact that the application for examination of seven more witnesses has been allowed at the request of prosecution, if prosecution fails to produce those witnesses before the court concerned on dates fixed, it is expected that the court concerned would pass appropriate orders and proceed forward in the case without granting any adjournment to the prosecution.

10. Let this order be communicated to the learned trial court immediately reminding the learned trial court that the petitioner is in custody for about two years and the learned trial court has time and again been impressed by this Court to take

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steps for disposal of the case before it.

11. The Senior Superintendent of Police, Bhagalpur is directed to ensure the presence of the remaining prosecution witnesses on the dates fixed before the learned trial court. In case, the Senior Superintendent of Police fails to produce the witnesses on the dates fixed, he will be called before this Court to explain such conduct.

12. Office is directed to communicate this order to the Senior Superintendent of Police, Bhagalpur immediately for compliance.

(Arun Kumar Jha, J)

V.K.Pandey/-

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