

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44865 of 2026

Arising Out of PS. Case No.-8 Year-2025 Thana- RATWARA District- Madhepura

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Bipin Kumar Sharma @ Bipin Sharma Son of Late Nageshwar Sharma
Resident of Village- Muraut, P.S.- Tatwara, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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

ORAL ORDER

2 03-07-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Ratwara P.S. Case No. 08 of 2025, instituted for the offences

under Sections 103(1), 61(2) of the Bharatiya Nyaya Sanhita,

2023 and Section 27 of the Arms Act.

3. This is the second attempt of the petitioner for bail.

The petitioner has renewed his prayer for grant of regular bail

which was earlier rejected by this Court vide order dated

09.02.2026 passed in Cr. Misc. No. 80155 of 2025 taking into

consideration the facts and circumstances of the case, cogent

material against him in the case diary to show the active

involvement of the petitioner in the alleged occurrence.



4. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 24.04.2025 without any rhymes or reason and has got two criminal antecedents. It is further submitted that charge has already been framed against the petitioner and out of six charge-sheeted witnesses, only four witnesses have been examined in this case.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. 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 new ground to consider the bail petition of the petitioner. From the aforesaid report, it appears that the trial is going on and is at an advance stage.



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 and conclude the same 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 petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

Rajorshi/-

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