

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46341 of 2026

Arising Out of PS. Case No.-56 Year-2025 Thana- EKANGARSARAI District- Nalanda

Deosharan Prasad @ Anil Prasad @ Neta Jee S/O Late Hukumchand Prasad
R/O Village- Kharjamma, P.S.- Ekangarsarai, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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

ORAL ORDER

2 16-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.Tr.
No. 913 of 2025 arising out of Ekangarsarai P.S. Case No. 56 of
2025 instituted for the offences under Sections 103(1), 3(5) of
the Bharatiya Nyaya Sanhita and 25(1-b)a, 26, 27 of the Arms
Act.

3. Accusation against the petitioner is of firing upon
the uncle of the informant due to which he died.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.03.2025 and has three criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that trial is already in progress and five witnesses have already been examined. 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. Considering the aforesaid facts and circumstances of the case as also there being direct allegation of firing upon the deceased against the petitioner, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the



petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of three months from today.

(Rudra Prakash Mishra, J)

Alok Verma/-

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