

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2547 of 2025

Arising Out of PS. Case No.-278 Year-2023 Thana- MIRGANJ District- Gopalganj

Ram Bhagat S/o Hawa Singh R/o vill - Sultanpur (138), Hisar, P.S.- Hasi,
Distt.- Hisar (Haryana)

... .. Appellant/s

Versus

1. The State of Bihar
2. Sunita Devi W/o Late Motilal Sah R/o Mirganj South Mohalla, ward no. 22,
P.S.- Mirganj, Distt.- Gopalganj

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Arvind Kumar, Advocate
For the Respondent/s	:	Mr.Binay Krishna, S.P.P Mr. Harendra Prasad Singh, Advocate

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

ORAL ORDER

5 29-01-2026 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the informant/Respondent No. 2.

2. The instant appeal has been filed by the appellant
against the order dated 04.06.2025 passed by Addl. Sessions
Judge-XI-cum- Exclusive Special Judge, SC/ST Act, Gopalganj,
whereby the prayer for bail of the appellant in connection with
Mirganj P.S. Case No. 278 of 2023 under Section 302/34 of the
Indian Penal Code and Section 3(i)(r)(s), 3(2)(v) of the SC/ST
Act was rejected.

3. Earlier vide order dated 21.03.2024 passed in Cr.
Appeal (SJ) No. 4896 of 2023, regular bail of the appellant was



rejected by this Court considering the dying declaration of the deceased and taking into account the postmortem report, with a liberty to renew the prayer after one year, if the trial is not concluded.

4. In compliance of the order dated 14.10.2025, a report dated 13.11.2025 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that case is fixed for evidence after framing of charge vide order dated 18.12.2023. Out of 08 witnesses, 05 witnesses have been examined and remaining three witnesses have to be examined. It is further reported that bailable warrant have already been issued by the Court against rest Charge-sheet witnesses.

5. Learned counsel for the appellant submits that the appellant is in custody since 21.07.2023 and has no criminal antecedent.

6. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant.

7. There is no fresh ground to consider the bail petition of the appellant. From the aforesaid report, it appears that the trial is going on and is at an advance stage.

8. In view of the above, the prayer for bail of the



appellant is again rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of two month from today. If the trial is not concluded within the period of two months, the appellant will be at liberty to renew his prayer before the court below.

9. The Director, Health Department, Bihar is hereby directed to produce the official witnesses namely Dr. Rekha Kumari, Director FSL, Muzaffarpur and Dr. Jitendra Kumar, Assistant Director, within a period of two months to conclude the trial.

10. Let a copy of this order be forwarded to the Director, Health Department, Bihar.

(Rudra Prakash Mishra, J)

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