

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3439 of 2025

Arising Out of PS. Case No.-617 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Mohit Kumar Shah @ Mohit Kumar S/O Late Manoj Sah R/O Village-
Himmat Patti, Ward No. 1, P.S.- Sahebganj, Distt.- Muzaffarpur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Premi Devi W/O Late Chandrika Paswan R/O Village- Himmat Patti, Ward
No. 1, P.S- Sahebganj, Distt.- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ranjeet Patel, Advocate.

For the Respondent/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 07-05-2026 Heard learned counsel for the appellant and learned Spl.
P.P. for the State.

2. The instant appeal has been filed by the appellant against the order dated 26.06.2025 passed by learned Special Judge SC/ST (PoA) Act, Muzaffarpur in Sahebganj P.S. Case No. 617 of 2024 whereby the prayer for bail of the appellant registered under Sections 109 and 3(5) of the B.N.S., 2023 and Section 3(1)r, 3(1)(s) of SC/ST Act and Sections 27, 25(1-b)a, 26 and 35 of the Arms Act was rejected.

3. The case of the respondent, in short, is that the appellant has fired in the mouth of the son of the informant.

4. Learned counsel appearing on behalf of the appellant has submitted that appellant has been falsely implicated in this case.



He also submits that on last occasion, the stage of trial was also called and the trial has been received from the learned trial court and from perusal of which, it transpires that out of nine witnesses, five witnesses have been examined and only four are remaining, even the injured has also been examined. He further submits that the appellant has got no criminal antecedent and languishing in judicial custody since 22.12.2024.

5. Countering this, the learned Spl. P.P. have vehemently opposed the appeal.

6. Having heard learned counsel for the parties and considering that since the trial is at its fag end and there is direct allegation against the appellant of firing in mouth, this Court is not inclined to grant bail to the appellant at this stage and, as such, his prayer for bail stands rejected.

7. However, the appellant may renew his prayer for bail after three months, if the trial is not concluded.

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

9. This Court would advise the learned trial court to conduct a calendar trial for expeditious disposal.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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