

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65074 of 2025

Arising Out of PS. Case No.-286 Year-2023 Thana- SARAI District- Vaishali

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Sumit Kumar S/o Bimal Mishra R/o Vill- Mahmaddoband, PS- Sarai, Dist-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Ms. Mili Kumari, Advocate
For the State	:	Mr. Ramchandra Sahni, APP
For the Informant	:	Mr. Sunil Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-01-2026 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 341, 323, 302,
379, 307, 504 and 506 of the Indian Penal Code.

3. Earlier, the prayer for grant of bail of the petitioner
was rejected by this Court vide order dated 05.03.2025 passed in
Cr. Misc. No. 703 of 2025.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has falsely been implicated in
this case due to land dispute between the parties. As a matter of



fact, informant, along with other accused persons, committed murder of father of this petitioner for which an F.I.R. bearing Sarai P.S. Case No. 148 of 2024 was lodged against informant and others. It is further submitted that the *post mortem* report of the deceased does not corroborate the prosecution case. Charge-sheet has already been submitted and petitioner is in custody since 27.06.2024.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of bail to the petitioner and submit that petitioner is named in the F.I.R. with specific accusation that he repeatedly assaulted on head of deceased with spade. Doctor has opined that death was caused due to head injury. Petitioner has got two criminal antecedents.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation, gravity of offence and criminal antecedent of the petitioner, the prayer for grant bail of to the petitioner is rejected.

7. However, considering the fact that petitioner is in custody since 27.06.2024, the learned trial court is directed to expedite the trial and conclude the same, preferably within a period of one year from the date of receipt/production of a copy



of this order.

(Prabhat Kumar Singh, J)

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