

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71843 of 2025**

Arising Out of PS. Case No.-99 Year-2023 Thana- TARAIIYA District- Saran

Bharat Kumar @ Bharat Pasi @ Abhishek Kumar @ Abhishek Son of Mohan  
Pasi Resident of Village - Sohrai, P.S. - Guthani, Dist. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                                               |
|----------------------|---|-----------------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. D. K. Sinha, Sr. Advocate<br>Mr. Ajay Kumar Pandey, Advocate<br>Mr. Ashok Kumar, Advocate |
| For the State        | : | Mr.Chandra Sen Prasad Singh, SC-26                                                            |

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

3      09-02-2026                      Heard learned Senior counsel for the petitioner and  
learned APP for the State.

2. This is the third attempt on behalf of the petitioner for grant of bail in connection with Taraiya P.S. Case No. 99/2023 registered for the offence punishable under Sections 395/412 of the Indian Penal Code.

3. Earlier the bail applications of the petitioner were rejected twice vide orders dated 14.03.2024 and 03.01.2025 passed in Cr. Misc. Nos. 17665 of 2024 and 49078 of 2024 respectively.

4. The following order was passed on 03.01.2025 in Cr. Misc. No. 49078 of 2024 reads as under:

*“Heard the learned counsel for the*



*parties.*

*2. This is the 2nd attempt of the petitioner. Earlier the bail application of the petitioner was rejected vide order dated 14.03.2024 passed in Cr. Misc. No. 17665 of 2024.*

*3. The petitioner seeks regular bail in a case registered for the offence under Sections 395/412 of the Indian Penal Code.*

*4. The following order was passed on 14.03.2024 in Cr. Misc. No. 17665 of 2024:-*

*Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.*

*2. The petitioner seeks bail in connection with Taraiya P.S. Case No. 99/2023 registered for the offence punishable under Sections 395/412 of the Indian Penal Code.*

*3. The petitioner is involved in a dacoity The criminals looted the Scorpio vehicle, mobile etc. The petitioner is accused in six more cases of similar nature.*

*4. The petitioner is in jail since 02.05.2023.*

*5. Considering the criminal antecedent of petitioner, this Court is not inclined to grant bail to this petitioner though two more accused persons have been granted bail.*

*6. This application is accordingly dismissed.”*

*5. The petitioner is involved in a dacoity.*



*6. From the report of the Trial Court, it appears that only one witness has been examined.*

*7. The Superintendent of Police, Saran at Chapra is directed to see to it that all the witnesses are examined on the dates fixed in the Trial so that the trial is not delayed as the accused has a right of speedy trial.*

*8. With the aforesaid direction, this application for regular bail is again rejected.*

*9. Let a copy of this order be communicated to the Superintendent of Police, Saran at Chapra through FAX for its compliance forthwith."*

5. The trial has started, and Mr. D. K. Sinha, learned Senior Counsel for the petitioner submits that none of the witnesses have supported the prosecution case.

6. Considering the gravity of offence and the fact that the trial has started, I am not inclined to review my earlier order.

7. Accordingly, the application stands dismissed in view of the judgment of the Hon'ble Supreme Court in the case of **X vs. State of Rajasthan & Anr.** reported in **2024 SCC Online SC 3539**.

**(Sandeep Kumar, J)**

P. Kumar

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