

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72910 of 2025

Arising Out of PS. Case No.-101 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

Dilip Kumar @ Dilip Chaudhary @ Deelip Chaudhary @ Dilip Choudhary
S/o Late Jinis Chaudhary R/o Village- Thumma, Ward No. 10, P.S.-
Runnisaidpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sagar Kumar, Advocate

For the Opposite Party/s : Mrs. Anita Kumari, APP

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

ORAL ORDER

3 09-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with S.T.
No. 619 of 2024, arising out of Runnisaidpur P.S. Case No. 101
of 2024 instituted for the offences under Sections 302, 120B &
34 of the Indian Penal Code.

3. This is the second attempt of the petitioner for bail.
The petitioner has renewed his prayer for grant of regular bail
which was earlier rejected on merit by this Court vide order
dated 20.11.2024, passed in Cr. Misc. No. 66305 of 2024, taking
into account the nature and gravity of offence.

4. In compliance of the order dated 14.10.2025, a
report dated 07.11.2025, with regard to the present stage of trial



has been received. From perusal of the aforesaid report, it appears that six out of seven charge sheet witnesses have been examined in this case. It is further reported that trial is likely to be concluded within a period of six months.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 21.04.2024 without any rhymes or reason. Learned counsel for the petitioner submits that there is no likelihood of the trial being concluded in the near future, hence, petitioner deserves the privilege of regular bail.

6. Learned APP for the State opposes the prayer for grant of bail. Learned APP has further 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, Hon'ble Apex Court has observed 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.”



7. There is no new ground to consider the bail petition of the petitioner. 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 petitioner 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 months from today. If the trial is not concluded within the period of two months, as stated above, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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