

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74372 of 2025

Arising Out of PS. Case No.-311 Year-2022 Thana- BHAGWANPUR HAT District- Siwan

Bali Ram Ray @ Bali Rai S/O Late Lallan Ray R/o Village- Mahmadvpur,
P.S.- Bhagwanpur Hat, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 324, 323 of the Indian Penal Code.

3. The case of the prosecution, in short, is that the petitioner has given '*knife*' blow in the abdomen of the deceased who died during the course of treatment.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in connection with the present case. It is further submitted that in this case altogether four witnesses have been examined during the course of the trial and none of them has supported the case of the prosecution. A statement has been made in para-3 of this petition that the



petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 05.12.2022.

5. Per Contra, learned APP for the State has submitted that the petitioner is the main assailant in the present case. He has also relied on a judgment of Hon'ble Apex Court in the case of **X Vs. State of Rajasthan & Anr passed in SLP(Criminal) No. 13378 of 2024** wherein in para- '14', Hon'ble Apex Court has held which is being quoted hereunder:-

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.

6. Considering the fact that it is a case of 302 of the Indian Penal Code and petitioner is the main assailant, I am not inclined to extend the privilege of bail to the petitioner. Accordingly, the prayer for bail is rejected.

7. However, the learned trial Court is hereby directed to expedite the trial and conclude the same within a period of two months from the date of receipt of this order.

(Ashok Kumar Pandey, J)

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