

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78884 of 2025

Arising Out of PS. Case No.-845 Year-2020 Thana- SAHARSA SADAR District- Saharsa

Aman Gupta @ Aman Kumar Gupta, S/o Shankar Prasad Gupta, Resident of village- Chandani Chowk, Ward No 20/34, P.S.- Saharsa Sadar, Dist.- Saharsa, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Adv.
For the State : Ms. Asha Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 6 25-02-2026 1. Heard Mr. Subesh Sharma, learned counsel for the petitioner and Ms. Asha Kumari, learned APP for the State.
2. Petitioner seeks regular bail in connection with Sessions Trial No. 167 of 2021 arising out of Saharsa Sadar P.S. Case No. 845 of 2020 registered for the offence punishable under Section(s) 341, 323, 448, 354, 307, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act, later on, Section 302 of I.P.C. was added.
3. The main submissions advanced by the petitioner's counsel are that this is the third attempt of the petitioner to get the relief of regular bail and the fresh ground for renewing the prayer is the petitioner's long period of incarceration in jail and no significant progress in the petitioner's trial despite this



Court's direction to complete the same within the stipulated period. Learned counsel further submits that vide order dated 27.06.2025 passed in Cr. Misc. No. 24150 of 2025, the trial court was directed to conclude the trial of the petitioner at the earliest preferably within three months from the date of receipt of the said order, however, about eight months have passed but the trial of the petitioner is still running at the stage of prosecution evidence. It is lastly submitted that the petitioner has been languishing in jail since 26.11.2020 and all the material prosecution witnesses have already been examined, so, release of the petitioner on bail at this stage will not be affect the prosecution in any manner.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner and submits that the petitioner's trial is at an advanced stage and it will not be proper to release the petitioner on bail, at this juncture.

5. Heard both the sides and perused the status report of the trial sent by the trial court which shows that eight prosecution witnesses have been examined and the last witness was examined on 05.03.2025. It further appears that in the last one year the remaining prosecution witnesses have not turned up which shows the lingering attitude on the part of the



prosecution in concluding the trial of the petitioner. Considering this aspect, as well as petitioner's long custody period and also the fact that the material prosecution witnesses have already been examined, this court is now inclined to release the petitioner on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Sessions Trial No. 167 of 2021 arising out of Saharsa Sadar P.S. Case No. 845 of 2020 .

(Shailendra Singh, J)

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