

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78900 of 2025

Arising Out of PS. Case No.-102 Year-2016 Thana- SONEPUR District- Saran

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Jitendra Nut @ Jittendra Nut @ Jatha Nut @ Jitendra Nat S/o Late Arvind
Nut @ Arbind Nut R/o vill - Pakahah, Sonepur, P.S.- Marhaura, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Kanchan Kumari, Advocate

For the State : Mr.Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 11-02-2026 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 Sonepur P.S. Case No. 102
of 2016 registered for the offence punishable under Sections
396, 397 and 412 of the Indian Penal Code.

3. Earlier the bail applications of the petitioner were
rejected twice vide orders dated 27.02.2024 and 24.01.2025
passed in Cr. Misc. Nos. 75016 of 2023 and 68493 of 2024
respectively.

4. The following order was passed on 24.01.2025 in
Cr. Misc. No. 68493 of 2024, which reads as under:

*“Heard Mr. Manish Kumar, learned counsel
for the petitioner and Mr. Jharkhandi Upadhyay,
learned APP for the State.*



2. Mr. Jharkhandi Upadhyay, learned APP has filed counter affidavit.

3. The following order was passed on 05.10.2024:-

“Heard 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 27.02.2024 passed in Cr. Miscellaneous No. 75016 of 2023.

3. It has been submitted by learned counsel for the petitioner that though the charges has been framed in the month of January, 2024, but no witnesses have been examined by the prosecution.

4. The Superintendent of Police, Saran will explain as to why the prosecution witnesses are not being produced.

5. List this case after six weeks.

6. It is expected that before submitting a report, the prosecution will start producing the witnesses.

7. Let a copy of this order be communicated to the Superintendent of Police, Saran through FAX for forthwith compliance.

8. Mr. Jharkhandi Upadhyay will assist the Court. A copy of the brief be handed over to learned APP by Monday peremptory.”

4. The only contention of learned counsel for the petitioner is that the trial is being delayed and therefore, the petitioner should be released on bail meaning thereby that an accused who committed dacoity with murder should be released on bail on the ground that trial is being delayed.



5. The trial judge, ADJ-VIII, Chapra, Saran is directed to start the trial and hold the trial on day to day basis and file a compliance report after six months.

6. No ground of review of the bail application is made out, this application is dismissed.”

5. Learned counsel for the petitioner submits that the charges have been framed in the trial and one witness has been examined.

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

7. Accordingly, the application stands dismissed.

8. The trial Court is directed to expedite the trial.

(Sandeep Kumar, J)

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