

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4485 of 2025

Arising Out of PS. Case No.-267 Year-2024 Thana- RAMNAGAR District- West Champaran

Jai Prakash Patel @ Jay Prakash Patel @ Jayprakash Patel Son of Prabhu Patel @ Prabhu Raut Resident of Village- Nepali Tola, Ward No. 01, P.S.- Ramnagar, District- West Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Jyoti Kumari D/o Late Gauri Shankar Mahto Resident of Village- Banwariya, P.S.- Sahodara, District- West Champaran, Presently Resident of Village- House of Prema Vikaram Sah Nepali Tola, Raj Darbar, P.S.- Ramnagar, District- West Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sarvesh Kashyap, Advocate
For the Respondent/s : Mrs. Usha Kumari I, SPP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 12-03-2026 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and learned counsel for the informant.

2. The instant appeal has been filed by the appellant against the order dated 27.09.2025 passed by learned District and Additional Sessions Judge Ist cum Special Judge, SC/ST Act, Bettiah, West Champaran whereby the prayer for bail of the appellant in connection with Ramnagar P.S. Case No. 267 of 2024 under Sections 376D of the Indian Penal Code and Sections 3(i)(r)(s)(w), 2(v) of SC/ST Act was rejected.

3. Earlier vide order dated 08.05.2025 passed in Cr.



Appeal (SJ) No. 41 of 2025 regular bail of the appellant was rejected by this Court considering the specific and heinous nature of allegation against the appellant.

4. In compliance of the order dated 15.01.2026 a report dated 31.01.2026 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that there are six charge-sheeted witnesses and out of which, four witnesses have been examined. It is further reported that trial is likely to be concluded in the next three months.

5. Learned counsel for the appellant submits that the appellant is languishing in judicial custody since 19.06.2024 without any rhymes or reason.

6. Learned SPP for the State opposes the prayer for grant of bail. Learned SPP for the State 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, the Hon'ble Apex Court has held 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 fresh ground to consider the bail petition of the appellant. 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 appellant is again rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of three months from today. If the trial is not concluded within the period of three months, as stated above, the appellant will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

