

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80353 of 2025

Arising Out of PS. Case No.-495 Year-2023 Thana- GHOSI District- Jehanabad

=====

Hari Charan Yadav Son of Nanhak Yadav Resident of Village - Lakhawar, P.S.
- Ghoshi, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Anant Kumar 1, 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. Tr.
No. 28879 of 2025, arising out of Ghoshi P.S. Case No. 495 of
2023 instituted for the offences under Sections 302 & 34 of the
Indian Penal Code and Section 27 of the Arms Act.

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 25.06.2025 passed in Cr. Misc. No. 39845 of 2025, taking
into account the fact that specific allegation against the
petitioner.

4. In compliance of the order dated 21.11.2025, a



report dated 19.12.2025, with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that four out of ten 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 05.02.2025 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.

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 three months from today. If the trial is not concluded within the period of three months, as stated above, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

