

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80327 of 2025

Arising Out of PS. Case No.-103 Year-2024 Thana- RAIL HAJIPUR District- Vaishali

Md Nasim Son of Hasifur @ Hasibur Rahman R/o Shikarpur, P.S. -
Abadpur(Awadhpur), Dist. - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, 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.T.
No. 690 of 2024, arising out of Sonapur (Hajipur) P.S. Case No.
103 of 2024 instituted for the offences under Section 143(5) of
the Bharatiya Nyaya Sanhita, 2023 and Section 79 of the
Juvenile Justice Act as also Section 14 of the Child Labour
(Prohibition and Regulation) Amendment Act, 2016.

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 08.04.2025, passed in Cr. Misc. No. 1414 of 2025, taking
into account the nature of accusation and the gravity of the



offence.

4. In compliance of the order dated 21.11.2025, a report dated 11.12.2025, with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that four out of eight charge sheet witnesses have been examined in this case. It is further reported that trial is likely to be concluded within a period of nine months.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 16.08.2024, 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 four months from today. If the trial is not concluded within the period of four months, as stated above, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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