

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84077 of 2025**

Arising Out of PS. Case No.-372 Year-2023 Thana- DUMRA District- Sitamarhi

Raj Kumar Rai S/O Late Jiya Lal Rai R/O Village- Mirchaiya, P.S.- Dumra,  
Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                                                      |
|----------------------|---|------------------------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. N.K. Agrawal, Sr. Advocate<br>Mr. Virendra Kumar, Advocate<br>Mr. Rishabh Kumar Mourya, Advocate |
| For the State        | : | Mrs. Sharda Kumari, APP                                                                              |

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      06-02-2026                      This is the second attempt of the petitioner to seek bail from this Court as his earlier prayer for bail was rejected vide order dated 26.10.2024 passed in Cr. Misc. No. 53998 of 2024 by this Court.

2. Learned senior counsel appearing on behalf of the petitioner submits that the petitioner is in custody since 06.03.2024 and till date only 4 witnesses have been examined out of 16 charge sheet named witnesses and they have also not supported the prosecution case. Learned senior counsel further submits that the petitioner is a person aged about 75 years and the FIR was instituted on the complaint filed by the son of the petitioner. However, the petitioner and other family members



were themselves made accused in the present case and except suspicion there is no material against the petitioner. Learned senior counsel further submits that the petitioner is languishing in custody without there being any substantive material against him.

3. Learned APP opposes the contention made on behalf of the petitioner. Learned APP submits that no new fact has come to record to reconsider the prayer for bail of the petitioner.

4. A report has been received from learned District & Additional Sessions Judge-IV -cum- Exclusive Special Judge (Rape & POCSO), Sitamarhi, wherein it has been submitted that there are altogether 16 prosecution witnesses named in the charge sheet and out of which 4 witnesses have been examined and for appearance of other witnesses bailable warrants have been issued on 24.11.2025. The learned trial court further sought time of six months for conclusion of the trial.

5. In the light of aforesaid facts and circumstances, I do not find any fresh ground to reconsider the prayer for bail of the petitioner. So far the delay in trial is concerned, learned trial court is conscious about concluding the trial within six months. Therefore, the prayer for bail of the petitioner is rejected.



6. The learned trial court is directed to abide by its undertaking and conclude the trial within the period as stipulated in its communication.

(Arun Kumar Jha, J)

DKS/-

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