

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4771 of 2025

Arising Out of PS. Case No.-127 Year-2024 Thana- PUNPUN District- Patna

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Avinash Kumar @ Rayfal S/O Late Subodh Singh R/O- Vill-Shivnagar Nur
Mohamadpur, P.S- Parsa Bazar, Distt- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Sameer S/O Late Sarwanand Singh R/O Vill.- Barhiya Kol, P.S- Punpun,
Dist.- Patna . At present R/O- Vill-Shivnagar Nur Mohamadpur, P.S- Parsa
Bazar, Distt- Patna

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mrs. Priyanka Singh, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, APP
For the O.P. No. 2	:	Mr. Indrajeet Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 05-02-2026 Heard learned counsel for the appellant, learned SPP
for the State and learned counsel for the opposite party no. 2.

2. The instant appeal has been filed by the appellant
against the order dated 10.11.2025 passed by learned Exclusive
Special Judge, SC/ST Act, Civil Court (Sadar), Patna whereby
the prayer for bail of the appellant in connection with Punpun
P.S. Case No. 127 of 2024 under Sections 342, 326, 307, 302,
120B of the Indian Penal Code, read with Section 27 of the
Arms Act and Section 3(2)(v)(va) of SC/ST Act was rejected.

3. This is the second attempt of the appellant for bail.
The appellant has renewed his prayer for grant of regular bail



which was earlier rejected by this Court vide order dated 19.06.2025 passed in Cr. Misc. No. 5220 of 2024 taking into account the nature and gravity of the offence alleged as also the trial being commenced and is already in progress.

4. In compliance of the order dated 16.12.2025, a report dated 06.01.2026 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that out of 11 prosecution witnesses, seven witnesses have been examined in this case. It is further reported that last witness has been examined on 10.11.2025 and after that no other witness has been produced.

5. Learned counsel for the appellant submits that the appellant is languishing in judicial custody since 27.07.2024 without any rhymes or reason and has got one criminal antecedent in which he is on bail.

6. Learned SPP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the appellant. Learned counsel for the informant submitted that the trial is in progress and except I.O., all the witnesses have been examined in this case.

7. There is no new ground to consider the bail petition of the appellant. From the aforesaid report and submission of



learned counsel for the opposite party no. 2, 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 preferably within a period of one and a half month from today. If the trial is not concluded within the period of one and a half month, as stated above, the appellant will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

Rajorshi/-

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