

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1432 of 2026

Arising Out of PS. Case No.-369 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

Ramesh Mahto Son of Ramrup Mahto Resident of village- Fulwar, P.S.-
Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Adv.
For the State : Mr.Md. Ataur Rahman, APP
For the Informant : Mr. N. K. Agrawal, Sr. Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 03-04-2026 Heard the parties.

2. This is an application for grant of bail to the petitioner, who is in custody in connection with Sessions Trial No. 1019 of 2024, arising out of Motihari Town P.S. Case No. 369 of 2024, registered for the offences punishable under Sections 302, 120B read with section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Mr. Patanjali Rishi, learned Advocate for the petitioner submitted that earlier the petitioner had moved this Court in Cr. Misc. No. 62213 of 2024 which was allowed vide order dated 20.11.2024. Aggrieved, the informant has preferred SLP (Crl.) No. 3119 of 2025, wherein the Hon'ble Apex Court vide order dated 30.07.2025 has been pleased to set aside the



order extending bail to the petitioner and directed the petitioner to surrender within a period of one week. In pursuance thereof, the petitioner surrendered and is facing trial. He further contended that now the petitioner has been incarcerated since 10.09.2025; however till date trial has not been concluded.

4. On the other hand, Mr. N. K. Agrawal, learned Senior Advocate representing the informant as well as the learned APP for the State vehemently opposed the bail application and submitted that the trial is at fag end and out of 9 prosecution witnesses, 8 of them have been examined. So far 9th witness is concerned, the prosecution has filed an application seeking leave for non-examination of the 9th witness. It is further contended that since on merit the case of the petitioner was duly considered by the Apex Court and on being found it is not a fit case for regular bail set aside the order of this Court, hence, subsequent prayer of the petitioner is unsustainable.

5. Having considered the submissions advanced by the learned Advocates for the respective parties, and taking note of the order of the Hon'ble Supreme Court as also the fact that the trial is at its fag end and is likely to be concluded in the near future, this Court is not acceded to the prayer for bail of the petitioner.



6. Accordingly, the prayer for bail of the petitioner stands rejected. However, it is expected that the trial court shall expedite the matter.

(Harish Kumar, J)

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