

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90863 of 2025

Arising Out of PS. Case No.-198 Year-2023 Thana- SURYAPURA District- Rohtas

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Dhama Mishra @ Premchand Mishra @ Prem Kumar Mishra S/o Sri Jagdish
Mishra Resident of Village- Madhukarpur, P.S.- Dinara, Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nagendra Upadhyay

For the Opposite Party/s : Mr.Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-02-2026 Heard the parties.

2. This is the second attempt of the petitioner for grant of regular bail in connection with Sessions Trial No. 459 of 2024 arising out of Suryapura P.S. Case No. 198 of 2023. Earlier the bail application of the petitioner was rejected vide order dated 09.04.2025 passed in Cr. Misc. No. 1937 of 2025 which reads as under:-

“Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No. 459 of 2024 arising out of Suryapura P.S. Case No. 198 of 2023 registered for the offence under Sections 302, 120B read with Section 34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner is said to have fired at the deceased which killed her.

4. Learned counsel for the petitioner submits that



there is no motive assigned for the killing of the deceased. He further submits that the charges have been framed in this case and the petitioner is in custody since 6.5.2024.

5. Learned counsel for the informant has opposed the application of the petitioner by submitting that it has come during investigation that the deceased and the petitioner were in a relationship and on the night of occurrence, the petitioner and his office friend went to the house of the deceased and tried to have sexual relation with her forcibly and upon opposing the same, she was shot dead. He also undertakes to produce the witnesses in the trial on the dates fixed in the trial.

6. Considering the facts of the case and the serious allegations levelled against the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this application is dismissed.

8. If the trial of the petitioner is delayed due to the fault of the prosecution side then the petitioner may renew his prayer for bail. ”

3. It has very fairly been submitted by the learned counsel for the petitioner that the charge has already been framed in this case.

4. In view of the fact that the trial is progressing and the considering the gravity of the offence, this Court finds no new ground to review its earlier order.

5. Accordingly, this application is dismissed.

6. The Superintendent of Police, Rohtas is directed to ensure the attendance of the witnesses in the trial.

7. Let a copy of this order be communicated to the Superintendent of Police, Rohtas through FAX for its



compliance.

(Sandeep Kumar, J)

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