

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90112 of 2025**

Arising Out of PS. Case No.-346 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Makshudan Kumar S/O Chinni Lal Yadav R/O Village- Gangauli, P.S-
Bibhutipur, Dist.- Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhijeet Gautam, Advocate
		Mr. Shashank Shekhar Kunwar, Advocate
For the Opposite Party/s	:	Mr. Uma Shankar Prasad Singh, A.P.P

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

3 25-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bibhutipur P.S. Case No. 346 of 2024 lodged on 11.10.2024, for
the offence punishable under Section 309(4) of the Bharatiya
Nyaya Sanhita, 2023, pending in the Court of Additional
District & Sessions Judge 2nd, Rosera (Samastipur).

3. Learned counsel for the petitioner submits that the
regular bail application of the petitioner was earlier rejected
vide order dated 02.06.2025 passed in Cr. Misc. No. 34286 of
2025. Counsel submits that the petitioner is in custody since
24.10.2024 and there is only one criminal case pending against
him. Counsel submits that the co-accused person has been
granted bail on the ground that no recovery has been shown
against him. Counsel submits that on earlier occasion, report



with regard to the present stage of the trial was called for.

4. Learned APP for the State opposes the prayer for bail of the petitioner and submits that on earlier occasion, report with regard to the present stage of the trial was called for and from the said report, it transpires that the present case is still pending for production of accused from jail and framing of charge. It has also been stated in the report that there is every likelihood for conclusion of the trial within one year.

5. Therefore, in this view of the matter, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, the prayer for regular bail of the petitioner is hereby rejected at this stage. However, it is directed to the State that the production of this accused and framing of charge is directed to be made in light of the B.N.S.S. particularly when section 530 of the B.N.S.S. is there for production and other things in the online mode.

(Dr. Anshuman, J)

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