

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89335 of 2025

Arising Out of PS. Case No.-238 Year-2023 Thana- GORAUL District- Vaishali

Upendra Paswan S/o- Late Kant Lal Paswan R/v- Bishunpur Arra P.S.- Goraul District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ritwik Thakur, Advocate Ms. Vaishnavi Singh, Advocate
For the State	:	Mr. Tarun Prasad Mandal, APP
For the Informant	:	Mr. Santosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-02-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.664 of 2023, arising out of Goraul P.S. Case no.238 of 2023 registered under sections 363 and 365 of the Indian Penal Code to which sections 302 and 120B of the Indian Penal Code was added subsequently.

3. As per the prosecution case, the son of the informant who had gone to attend school did not return and was not to be found inspite of search.

4. Learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide order dated 10.7.2024 passed in Cr. Misc. no.14077 of 2024.



The FIR was registered against unknown and there is no direct or indirect material in the case diary to connect the petitioner with the alleged crime. The petitioner has no criminal antecedent and is in custody since 13.7.2023. He undertakes to cooperate in the trial.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that the examination of prosecution witnesses is over and as per instructions received, out of the thirteen defence witnesses, the defence has examined only one witness.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 19.1.2026 of the District and Additional Sessions Judge VII, Vaishali at Hajipur, the examination of prosecution witness is closed and the case is fixed for statement under section 313 Cr.P.C..

7. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the case of the petitioner having been considered and rejected on merits on the earlier occasion, the substantial progress in the trial in the learned trial Court wherein after conclusion of the evidence on behalf of the prosecution, the case is fixed for recording the



statement under section 313 of the Cr.P.C., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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