

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2464 of 2026

Arising Out of PS. Case No.-173 Year-2018 Thana- MATIHANI District- Begusarai

Daulat Kumar @ Daulat Kunwar Son of Pankaj Kunwar Resident of village
-Shankarpur Bakhadda PS- Matihani District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun, Advocate Mr. Anuj Kumar, Advocate Mr. Shreyanshu Kumar, Advocate Mr. Aditya Raj Singh, Advocate
For the Opposite Party/s :		Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-02-2026

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Sessions Trial no.288 of 2019 (arising out of Matihani P.S. Case no.173 of 2018) registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and two others are said to have fired with a pistol on the father of the informant seriously injuring him resulting in his death.

4. Learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide different orders, the last being vide order dated 4.4.2025 passed



in Cr. Misc. no.2469 of 2025 directing the learned Court below to expedite the trial. Inspite of the direction of this Court and specially the petitioner having remained in custody for seven years since 30.1.2019, the trial has still not concluded. Some of the similarly situated co-accused have already been enlarged on bail. The petitioner undertakes to cooperate in the trial and to abide by any condition which may be laid by this Court for his release on bail.

5. The application for bail is opposed by learned A.P.P. for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 21.1.2026, four witnesses have been examined on behalf of the prosecution and three witnesses remain to be examined. The report further states that after examination of witnesses on 3.1.2025, bailable warrant was issued against all the witnesses from the Court but only one witness ie P.W.4 appeared and was examined in the case on 21.11.2025.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, grant of bail to the co-accused vide order dated 25.10.2024 passed in Cr. Misc. no.52073 of 2024, there being not much progress in the



trial in the learned trial Court and specially the petitioner having remained in custody for over 7 years since 30.1.2019, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.288 of 2019 (arising out of Matihani P.S. Case no.173 of 2018) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-XII, Begusarai.

(Partha Sarthy, J)

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