

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90632 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- KONCH District- Gaya

Kamlesh Paswan son of Late Ram Pukar Paswan Resident Of Village And P S
-Konch District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr. Anil 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 Sessions Trial No. 834 of 2025 arising out of Konch P.S. Case No. 165 of 2024 lodged on 13.04.2024, for the offence punishable under Sections 302/34 of the Indian Penal Code, pending in the Court of Additional Sessions Judge-XIV, Gaya.

3. Learned counsel for the petitioner submits that the regular bail application of the petitioner was earlier rejected *vide* order dated 03.10.2024 passed in Cr. Misc. No. 72002 of 2024 with liberty granted to the petitioner to renew his prayer for bail three months after framing of charge. Counsel submits that petitioner is in custody since 24.05.2024, having clean antecedent. Counsel submits that the charge has not been



framed, therefore, he is not responsible for the same. Counsel further 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 petitioner has filed a discharge petition before the trial court due to which, charge has not been framed, which is pending for hearing on discharge petition.

5. In the present facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for regular bail of the petitioner is hereby rejected, as this case is premature.

(Dr. Anshuman, J)

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