

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9050 of 2026

Arising Out of PS. Case No.-284 Year-2024 Thana- SINGHWARA District- Darbhanga

Vivek Kumar Mandal S/O Vedanand Mandal Resident of Village-
Chamanpur, P.S- Singhwara, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Karn, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Singhwara P.S. Case No. 284 of 2024, Sessions Trial No. 429 of
2025 instituted for the offences under Sections 103(1), 238, 3(5)
of the Bharatiya Nyaya Sanhita, 2023.

3. Earlier vide order dated 08.07.2025 passed in Cr.
Misc. No. 19641 of 2025, regular bail of the petitioner was
rejected by this Court considering the specific allegation against
the petitioner.

4. Learned counsel for the petitioner mainly submits that
the petitioner is languishing in judicial custody since 22.10.2024
without any rhymes or reason. He further submitted that up till



now, only one witness has been examined and there is no likelihood of conclusion of trial in near future.

5. Learned APP for the State opposes the prayer for grant of bail stating that trial has commenced and two witnesses have also been examined. Learned APP for the State relied upon a decision of the Hon'ble Apex Court reported in **2024 SCC OnLine SC 3539 (X. vs. State of Rajasthan & Anr.)**, wherein in paragraph no. 14, the Hon'ble Apex Court has held as under:

“14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court, be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.”

6. There is no fresh ground to consider the bail petition of the petitioner.

7. In view of the above, the prayer for bail of the petitioner is again rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of five months from today. If the trial is not concluded within the period of five months, as stated above, the petitioner will be at liberty to renew his prayer before



the court below.

(Rudra Prakash Mishra, J)

Alok Verma/-

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