

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27596 of 2025

Arising Out of PS. Case No.-164 Year-2017 Thana- SONEPUR District- Saran

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Mukesh Singh S/O Late Awadhesh Singh, Resident of Vill.- Kharika, Ps-
Sonepur, Dist.- Saran at Chapra. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindhyachal Singh, Sr. Advocate
Mr.Vipin Kumar Singh, Advocate
Ms. Nikita Mittal, Advocate
For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 16-09-2025 Heard learned counsel appearing on behalf of the

parties.

2. The accused/petitioner is named in the F.I.R. and is

in custody since 16.02.2022.

3. This is the third successive bail petition of this

petitioner, whereas the prayer of bail of the petitioner rejected on

first occasion through Cr. Misc. No. 2372 of 2023 dated

04.05.2023 on the ground of available merits. On the second

consideration also it was rejected by same co-ordinate Bench

through Cr. Misc. No. 86264 of 2023 dated 23.02.2024.

4. Mr. Bindhyachal Singh, learned senior counsel

appearing on behalf of the petitioner, while arguing on present

third successive bail petition submitted that the present bail

petition is solely on the ground of custody period and slow progress



of trial. In support of the same, it is submitted that despite of the fact as petitioner remains in custody for more than three and half years, only single prosecution witness was examined out of eight charge sheeted witnesses and, therefore, it can be safely gathered that the conclusion of trial is not likely to conclude in near future. It is submitted that the speedy trial is a fundamental right of the petitioner as available under Article 21 of the Constitution of India. In support of his submission, Mr. Singh relied upon the legal report of Hon'ble Supreme Court as available through ***Hussainara Khatoon and Others Vs. Home Secretary, State of Bihar***, reported in ***1980(1)SCC 98***.

5. Learned APP while opposing the prayer of bail could not disputed the aforesaid custody period, as submitted by Mr. Singh and also slow progress of the trial.

6. In view of aforesaid facts and circumstances and by taking note of custody of the petitioner, who remains in custody for more than three and half years i.e. since 16.02.2022, where only one prosecution witness was examined out of eight, suggesting sufficiently that trial of this case is not likely to conclude in near future, accordingly, petitioner above named, is directed to be released on bail in connection with Sonapur P.S. Case No. 164 of 2017 on furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Saran/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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