

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38596 of 2025

Arising Out of PS. Case No.-23 Year-2023 Thana- BELA District- Sitamarhi

Ajeet Bhandari S/O Vijay Bhandari R/o Village Purandaha Rajwara, P.S.-
Sonbarsa, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Murari, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

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

ORAL ORDER

4 29-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with S.T.
No. 164 of 2024, arising out of Bela P.S. Case No. 23 of 2023
instituted for the offences under Sections 364(A), 120(B) & 34
of the Indian Penal Code. Subsequently, Section 302 of the IPC
was added.

3. This is the second attempt of the petitioner for bail.
The petitioner has renewed his prayer for grant of regular bail
which was earlier rejected on merit by this Court vide order
dated 28-02-2024 passed in Cr. Misc. No. 43676 of 2023.

4. Learned counsel for the petitioner submits that the
petitioner that the petitioner is in custody since 23-01-2023,



having no criminal antecedent. Learned counsel further submits that there is no likelihood of the trial being concluded in the near future. Learned counsel goes on to submit that the continued incarceration of the petitioner without conclusion of trial amounts to a gross violation of the fundamental right guaranteed under Article 21 of the Constitution of India, which is reiterated by Hon'ble Apex Court in plethora of judgments.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. A report was called for from the court below and it is reported that charges have been framed against the petitioner in S.T. No. 164/2024 (clubbed with related cases) and the matter is presently fixed for prosecution evidence. Despite issuance of summons and bailable warrants, witnesses have not yet been produced, and the next date of hearing is 19-08-2025.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, since from perusal of the report of the court below, it appears that there is no likelihood of the trial being concluded in the near future and taking into account the fact that continued detention of the petitioner would serve no purpose other than punitive pretrial incarceration, which is antithetical to the spirit of Article 21 of



the Constitution of India, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.T. No. 164 of 2024, arising out of Bela P.S. Case No. 23 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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