

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67327 of 2025

Arising Out of PS. Case No.-304 Year-2024 Thana- SARAIYA District- Muzaffarpur

Vikash Manjhi Son of Mohan Manjhi Resident of village - Bangra Nizamar,
P.S.- Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

2 16-09-2025 Heard Mr. Santosh Kumar, learned counsel for the
petitioner and Ms. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with
Saraiya P.S. Case No. 304 of 2024 instituted for the offences
under Section 394 of the Indian Penal Code and Section 27 of
the Arms Act.

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 29-04-2025 passed in Cr. Misc. No. 5255 of 2025.

4. Learned counsel for the petitioner submits that the
present one is the second attempt for grant of regular bail to the
petitioner. It is mainly submitted that there is no significant



progress in the trial. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27-07-2024. 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. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner 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.

7. 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 Saraiya P.S. Case



No. 304 of 2024, 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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