

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3488 of 2026

Arising Out of PS. Case No.-143 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

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Vikash Yadav @ Vikash Kumar S/o Maheshwar Yadav R/o Village -
Raghunathpur, P.S - Sahebpur Kamal, District – Begusarai.... .. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 18-03-2026 The present petition is the second successive prayer of

bail of the petitioner.

2. Arguing for petitioner, it is pointed out by learned

counsel that petitioner remains in custody in connection of this

case since 04.12.2024. It is pointed out that while rejecting the

first prayer of bail of the petitioner (Annexure-P/1), it was directed

by this Court to learned trial court to conclude the trial preferably

within a period of nine months.

3. It is submitted that not even a single prosecution

witness in this matter could examine by the learned trial court and

certainly petitioner cannot be kept behind bar for indefinite period

in want of trial. In support of his submission, learned counsel 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***.



Taking reference of aforesaid case, it is submitted that delay in trial appears in violation of fundamental right of the petitioner *qua* speedy trial as available under Article 21 of the Constitution of India.

4. From perusal of record, it transpires that status report regarding stage of trial was furnished by learned trial court through letter No. 56/2026, suggesting that the trial of this petitioner was separated from other accused persons and the charge was framed on 22.02.2026, which also implies that examination of prosecution witness is yet to start. It further appears that a direction was given by this Court to conclude the trial preferably within nine months while disposing the earlier prayer of bail though Cr. Misc. No. 24906/2025 dated 24.07.2025.

5. Considering aforesaid factual aspects and without making any further comments on merit, as petitioner remains in custody since 04.12.2024, where the progress of trial *prima facie* suggest that same is not likely to conclude in near future, which appears in violation of fundamental right of petitioner *qua* speedy trial as available under Article 21 of the Constitution of India, accordingly, petitioner above named, is directed to be released on bail in connection with S.T. No. 1063/2025 arising out of



Sahebpur Kamal P.S. Case No. 143 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-X, Begusarai/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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