

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4189 of 2026

Arising Out of PS. Case No.-379 Year-2024 Thana- GRIYAK District- Nalanda

1. Dharmendra Ravidas @ Dharo @ D.J. @ Dharmendra KUMAR Son of Kapil Ravidas Resident of Village - Rasalpur, Police Station - Katrisarai in the district of Nalanda.
2. Mantu Ravidas @ Mantu Kumar Son of Ramashray Ravidas Resident of Village - Rasalpur, Police Station - Katrisarai in the district of Nalanda.

... .. petitioners/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the petitioners/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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

ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Giriak P.S. Case No. 379 of 2024 instituted for the offence under Sections 342(1), 316(2), 318(4), 319(2), 336(3), 338, 339, 340(2), 341(1), 3(5), 61(2) & 111(2)(b) of the Bharatiya Nyaya Sanhita, 2023, Sections 25(1-B)a, 26 & 35 of the Arms Act and Sections 66(c) & 66(D) of the I.T. Act. Earlier vide order dated 15-04-2025, passed in Cr. Misc. No. 8179 of 2025, regular bail of the petitioners was rejected by this Court with a liberty to renew the prayer after six months if the trial is not concluded.

3. Learned counsel for the petitioners submits that the



present one is the second attempt for grant of regular bail to the petitioners. It is mainly submitted that charge in this case is even not framed and till date, no witness has been examined. It has been submitted on behalf of the petitioners that the petitioners are in custody since 03-10-2024, 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 petitioners 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.

4. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

5. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and taking into account the fact that continued detention of the petitioners 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 petitioners.

6. Let the petitioners be released on bail on furnishing



bail bonds of Rs. 15,000/- (Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Giriak P.S. Case No. 379 of 2024, subject to the following conditions:

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

(II) The petitioners 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 petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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