

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9549 of 2026

Arising Out of PS. Case No.-35 Year-2025 Thana- Haraiya District- East Champaran

Pranjal Kumar Patel S/o Nandu Prasad Patel R/o Village- Ashram Road,
Raxaul, P.S- Raxaul, Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

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

ORAL ORDER

3 11-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Haraiya P.S. Case No. 35 of 2025, instituted for the offences
under Sections 21(c), 23(c) and 29 of the NDPS 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 by this Court vide order dated
10.09.2025 passed in Cr. Misc. No. 39967 of 2025 taking into
consideration the recovery of contraband beyond commercial
quantity.

4. In compliance of the order dated 06.02.2026, a
report dated 20.02.2026 with regard to the present stage of trial



has been received. From perusal of the aforesaid report, it appears that charge has been framed against the petitioner on 12.02.2026 and out of five prosecution witnesses, no any witness has been examined in this case. It is further reported that the trial is likely to be concluded within a period of six months.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 09.04.2025 without any rhymes or reason and has got no criminal antecedent. Learned counsel for the petitioner next submits 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 reiterated by Hon'ble Apex Court in plethora of Judgments.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by 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.



8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Haraiya P.S. Case No. 35 of 2025, 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)

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