

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5555 of 2026

Arising Out of PS. Case No.-135 Year-2023 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Ravi Kumar S/O Mahendra Sharma R/O Village- New Colony, Balughat,
Nala Road, Ward No.-18, PS-Town, Distt.- Muzaffarpur, Permanent Address-
Mohalla- Indrapuri Colony, Supriya Road, P.S- Town (Kali Bag O.P.), Bettiah,
Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

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

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

ORAL ORDER

2 03-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Session Trial Case No. 865 of 2023 arising out of Muzaffarpur
Town P.S. Case No. 135 of 2023 instituted for the offence under
Section 302 of the Indian Penal Code. Earlier vide orders dated
11.09.2023 and 07.05.2025, passed in Cr. Misc. No. 41791 of
2023 and Cr. Misc. No. 69648 of 2024, respectively, regular bail
of the petitioner was rejected by a Co-ordinate Bench of this
Court.

3. 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 charge in this case is framed and till date, only three (3) out of six (6) charge sheet witnesses have been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.02.2023, 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.

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

5. 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.

6. 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 Session Trial Case No. 865 of 2023 arising out of Muzaffarpur Town P.S. Case No. 135 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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