

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7197 of 2026

Arising Out of PS. Case No.-474 Year-2024 Thana- RANIGANJ District- Araria

Rahul Kumar @ Rahul Kumar Yadav @ Rahul Kr. Yadav @ Rahul Yadav
S/o- Susheel Yadav @ Sushil Yadav R/v- Belsara Goth W.No-10, Ps-
Raniganj Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, A.P.P.

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

ORAL ORDER

2 30-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sessions Case No. 182 of 2025, arising out of Raniganj P.S.
Case No. 474 of 2024, instituted for the offence under Section
310(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 25(1-
b) 26 of the Arms Act.

3. Earlier vide order dated 18.06.2025 passed in Cr.
Misc. No. 16892 of 2025, regular bail of the petitioner was
rejected by this Court considering the material available in the
case diary as also the nature and gravity of offence, with a
liberty to renew the prayer after six months if the trial is not
concluded.

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 charge in this case is framed and till date no prosecution witnesses have been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.10.2024. 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sessions Case No. 182 of 2025, arising out of Raniganj P.S. Case No. 474 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)

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