

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9587 of 2026

Arising Out of PS. Case No.-60 Year-2025 Thana- PASRAHA District- Khagaria

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1. Anshu Kumar @ Khikari @ Khilari S/o Ramjit Singh @ Ranjit Singh R/o Village_ Dharmpur Banni, PS.- Maheshkhunt, Distt.- Khagaria
 2. Dinesh Kumar @ Fudo S/o Bhogi Sah @ Bhogendra Sah R/o Village_ Dharmpur Banni, PS.- Maheshkhunt, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 06-02-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Pasraha P.S. Case No. 60 of 2025, G.R. No. 811 of 2025 instituted for the offence under Sections 309(6) of the Bharatiya Nyaya Sanhita, 2023.

3. Earlier vide order dated 09.10.2025 passed in Cr. Misc. No. 47091 of 2025, regular bail of the petitioners was rejected by this Court on merit.

3. Learned counsel for the petitioners submitted 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 has



been framed on 22.05.2025 but none of the witnesses has been examined till date. It has been submitted on behalf of the petitioners that the petitioner no. 1 is custody since 10.04.2025 and petitioner no. 2 is in custody since 14.04.2025. 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 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 petitioners.

6. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with



two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pasraha P.S. Case No. 60 of 2025, G.R. No. 811 of 2025, 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)

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