

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10391 of 2026

Arising Out of PS. Case No.-1 Year-2024 Thana- DHARHARA District- Munger

Bharat Prasad Singh @ Bharat Kumar Singh @ Bharat Kumar S/o Late
Raghvendra Narayan Singh R/o Vill- Bathaniyan, P.S.- Rajaun, Distt- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad, Sr. Advocate Mr. Pramod Kumar, Advocate Mr. Ritesh Kumar, Advocate Mr. Dharendra Kumar, Advocate Ms. Srishti, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP

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

ORAL ORDER

3 03-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Dharhara P.S. Case No. 1 of 2024 instituted for the offence
under Sections 324, 302, 120B, 34 of the Indian Penal Code and
Sections 27 of the Arms Act.

3. Earlier vide order dated 01.07.2025 passed in Cr.
Misc. No. 12366 of 2025, regular bail of the petitioner was
rejected by this Court considering the nature and gravity of
offence as also the material in the case diary against the
petitioner, with a liberty to renew the prayer after six months if
the trial is not concluded.



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 only charge has been framed, and till date, none of the fourteen charge-sheeted witnesses has not been examined, which is evident from the report sent by the learned court below. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.11.2024. 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.

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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dharhara P.S. Case No. 1 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)

Alok Verma/-

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