

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15050 of 2026

Arising Out of PS. Case No.-90 Year-2025 Thana- MUFFASIL District- West Champaran

Rahul Pandey @ Rahul Kr. Pandey@ Aditya Kr. Pandey @ Aditya Pandey @
Ramu kr. Pandey @ Ramu Pandey, Son of Satendra Pandey, Resident of
Village -Khairatiya P.S.- Manuapul District -West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sujeet Kumar, Adv. Mr. Abhay Kumar Mishra, Adv. Mr. Sonu Singh, Adv.
For the State	:	Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-02-2026 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Bettiah Muffasil P.S. Case No. 90 of 2025, registered for the
offence(s) punishable under Section(s) 318(4), 352, 109(1) and
3(5) of the BNS and Section 27 of the Arms Act.

3. The main submissions advanced by petitioner's
counsel are that this is the second attempt of the petitioner to get
the relief of bail and his prayer was rejected vide order dated
06.08.2025 Passed in Cr. Misc. No. 32736 of 2025 giving the
petitioner a liberty to renew his prayer after the examination of
the injured in the trial and in the light of this liberty the



petitioner has renewed his prayer. Learned counsel further submits that upon the petitioner the charges were framed on 26.08.2025 and thereafter bailable warrant for appearance of the prosecution witnesses has been issued on 01.11.2025. Thereafter, on 26.11.2025, non-bailable warrant has also been issued for appearance of the prosecution witnesses but no one turned up and then the trial court sent a letter to the Superintendent of Police and Deputy Inspector General on 03.01.2026 for ensuring the appearance of the prosecution witnesses but no one has turned up till date in the trial of the petitioner which shows the lingering attitude of the prosecution to frustrate the petitioner's bail prayer.

4. Though, learned APP appearing for the State has opposed the bail prayer of the petitioner but fairly accepts that sufficient steps have been taken by the trial court to get the appearance of the prosecution witnesses as mentioned by the petitioner in his petition and also appearing from the trial court's rejection order.

5. Heard both the sides and perused relevant materials. Though, the petitioner's prayer for bail has already been rejected on merit but considering the prosecution's lingering attitude in producing and examining the prosecution



witnesses as stated above and as appearing from the trial court's order and also taking note of the petitioner's custody period which has been about one year, this court is now inclined to release him on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Bettiah Muffasil P.S. Case No. 90 of 2025 with following conditions:-

- (1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial court and shall remain physically present as directed by the trial court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial court.
- (2) If the petitioner tampers with the evidence or influences the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.
- (3) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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