

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16592 of 2026

Arising Out of PS. Case No.-57 Year-2015 Thana- CHAINPUR District- Kaimur (Bhabua)

Sambhu Prasad Singh @ Shambhu Prasad Singh Son of Late Bhagwan Singh
Resident of village Simra, P.S.- Parsa Bazar, District - Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Manager, SFC, Kaimur (Bhabua) Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Mishra
For the Opposite Party/s	:	Mrs. Gulnar Begum
For the BSFC	:	Mr. Niraj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

- 3 10-04-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the BSFC.

2. The petitioner seeks bail in connection with Chainpur P.S. Case No. 57 of 2015, instituted for the offences under Sections 420 and 409 of the Indian Penal Code.

3. This is the third attempt of the petitioner for bail. The petitioner has renewed his prayer for grant of regular bail which was rejected twice by this Court vide order dated 15.03.2024 and 16.05.2025 passed in Cr. Misc. No. 7834 of 2023 and in Cr. Misc. No. 16308 of 2025 respectively.

4. In compliance of the order dated 11.03.2026, a report dated 13.03.2026 with regard to the present stage of trial



has been received. From perusal of the aforesaid report, it appears that charge has been framed against the petitioner on 14.03.2023 and out of nine witnesses, only six witnesses have been examined in this case.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 18.08.2022 without any rhymes or reason and has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner next submits that vide order dated 16.05.2025 passed in Cr. Misc. No. 16308 of 2025, the petitioner was granted liberty to renew his prayer for grant of bail before the learned Trial Court if the trial is not concluded within a period of five months. It is submitted that 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 reiterated by Hon'ble Apex Court in plethora of Judgments.

6. Learned APP for the State and learned counsel for the BSFC have vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by 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.

8. 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 Chainpur P.S. Case No. 57 of 2015, 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 and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

(IV) Petitioner shall not commit offence of similar nature in future.

(V) The petitioner shall not leave the territorial jurisdiction of the learned Court below without taking prior permission of the Court concerned.



If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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