

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17775 of 2026

Arising Out of PS. Case No.-450 Year-2017 Thana- LAKHISARAI District- Lakhisarai

Niranjan Kumar S/o Ghanshyam Verma R/o Village- Lakhna, P.O.- Gopalpur,
P.S. and Distt.- Jamui, then I.T. Supervisor, District welfare office, Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Ikbal Ram S/o Late Somaru Ram R/o vill and post - Etwari, P.S.-
Sahar, Distt.- Bhojpur (ARa)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwari, APP

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

ORAL ORDER

2 18-03-2026 Heard Mr. Rabi Bhushan, learned counsel for the
petitioner and Mr. Nityanand Tiwari, learned APP for the State.

2. The petitioner seeks bail in connection with
Kabaiya P.S. Case No. 450 of 2017 instituted for the offence
under Sections 467, 468, 406, 409, 470, 471 of the Indian Penal
Code.

3. Earlier vide order dated 14.07.2025 passed in Cr.
Misc. No. 4709 of 2025, regular bail of the petitioner was
rejected by this Court considering the nature and gravity of
offence 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 charge in this case is framed and till date, only six witnesses, out of ten have been examined and four witnesses are yet to be examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.09.2024 and has no criminal antecedent. 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 Kabaiya P.S. Case No. 450 of 2017, 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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