

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18665 of 2026

Arising Out of PS. Case No.-170 Year-2024 Thana- SOHSARAI District- Nalanda

Rohit Kumar Singh @ Rohit Kumar S/O Ram Kumar Singh R/O Vill.- Naya Tola (Madhopur) , P.S- Bakhtiyarpur, Dist- Nalanda

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-03-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Sohsarai P.S. Case No. 170 of 2024, instituted for the offences under Section 310(2) of the Bharatiya Nyaya Sanhita, 2023, later on Sections 317(3) and 317(5) of the Bharatiya Nyaya Sanhita, 2023 were added.

3. This is the second attempt of the petitioner for bail. The petitioner has renewed his prayer for grant of regular bail which was earlier rejected by this Court vide order dated 29.08.2025 passed in Cr. Misc. No. 33899 of 2025 taking into consideration the recovery from petitioner's possession and the petitioner being identified in the T.I. Parade.



4. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 25.07.2024 without any rhymes or reason and has got four criminal antecedents. It is also submitted that earlier, the petitioner was granted liberty to renew his prayer for bail if the trial is not concluded within a period of six months but there is no any progress of the trial and charge has not been framed against the petitioner. Learned counsel for the petitioner next submits 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 reiterated by Hon'ble Apex Court in plethora of Judgments.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. 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.

7. 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 Sohsarai P.S. Case No. 170 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)

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