

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19630 of 2026

Arising Out of PS. Case No.-248 Year-2025 Thana- CHAPRA TOWN District- Saran

Ratnesh Sah Son of Late Bhawasagar Sah Resident of Village- Bardahiya,
P.S.- Marhowrah, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, 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 S.T.
No. 1206 of 2025, arising out of Chapra Town (Nagar) P.S. Case
No. 248 of 2025, instituted for the offences punishable under
Sections 316(2), 318(4), 303(2), 60 of the Bharatiya Nyaya
Sanhita, 2023 and later on Section 317(2) of the Bharatiya
Nyaya Sanhita, 2023 was 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
15.09.2025 passed in Cr. Misc. No. 44411 of 2025 taking into
consideration the nature of accusation and gravity of the



offence.

4. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 12.05.2025 without any rhymes or reason and has got no criminal antecedent. It is also submitted that earlier, the petitioner was granted liberty to renew his prayer for bail in the learned Court below if the trial is not concluded within a period of four months, but out of eight charge-sheeted witnesses, only four witnesses have been examined in this case. Learned counsel for the petitioner further 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. Similarly situated co-accused person has been enlarged on bail in second attempt vide order dated 18.03.2026, passed in Cr. Misc. No. 18523 of 2026.

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 as also claim based on parity 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 S.T. No. 1206 of 2025, arising out of Chapra Town (Nagar) P.S. Case No. 248 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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