

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22355 of 2026

Arising Out of PS. Case No.-380 Year-2024 Thana- KANTI District- Muzaffarpur

Sanjiv Singh S/o Baijnath Singh @ Baidhanath Singh R/o Village - Harka, P.S
- Minapur, District – Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjai Kumar Singh, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, A.P.P.

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

ORAL ORDER

3 15-05-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Kanti P.S. Case No. 380 of 2024, instituted for the offence under
Sections 103(1), 238, 61 and 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. Earlier, vide order dated 15.07.2025 passed in
Cr. Misc. No. 20699 of 2025, regular bail of the petitioner was
rejected by this Court considering the nature and gravity of the
offence with a liberty to renew the prayer after six months if the
trial is not concluded.

4. 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, commitment of the case has not been done. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.10.2024. 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.

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

6. In compliance of the order dated 03.04.2026, a report dated 18.04.2026 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that case record is fixed for commitment and this case has been committed to the Court of Sessions on 16.04.2026.

7. 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.

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 Kanti P.S. Case No. 380 of 2024, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

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

(V) The Petitioner shall not leave the territorial jurisdiction of the learned court below without prior permission of the court concerned.

In case of violation of any of the aforesaid



conditions, the Trial Court shall be at liberty to cancel the bail
bonds of the petitioner.

(Rudra Prakash Mishra, J)

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