

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23905 of 2026

Arising Out of PS. Case No.-53 Year-2025 Thana- Purbasarai District- Munger

Sumit Kumar Son of Narendra Prasad Singh R/O Village- Prabodhi Narendra,
P.S.- Sarai, Distt.- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. The Vigilance Department, State of Bihar, Patna Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jagjit Roshan, Advocate Mr.Anjani Kumar, Advocate Mr.Prashant Raj, Advocate
For the Opposite Party/s :		Mr.Anil Kumar Singh No. 1, A.P.P.

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

ORAL ORDER

2 17-04-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Vigilance Case No. 01 of 2026/ Special Vigilance Case No. 01
of 2026, arising out of Purabsarai P.S. Case No. 53 of 2025,
instituted for the offence under Sections 316(5) and 308(2) of
the Bharatiya Nyaya Sanhita, 2023.

3. Earlier, vide order dated 25.09.2025 passed in
Cr. Misc. No. 47170 of 2025, regular bail of the petitioner was
rejected by this Court considering the nature of accusation and
the gravity of the offence, with a liberty to renew the prayer
after five 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, no witnesses have been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.06.2025. 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. 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.

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 Vigilance Case No. 01 of 2026/ Special Vigilance Case No. 01 of 2026, arising out of Purabsarai P.S. Case No. 53 of 2025, 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.

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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