

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23405 of 2026

Arising Out of PS. Case No.-489 Year-2018 Thana- DINARA District- Rohtas

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Anil Kumar son of Ram Chandra Ram Resident of village- Kanhauli Ajarkwe, Ajarkabe, Shakti Nagar, P.S. -Ramna Mithanpura, Dist- Muzaffarpur, at present Asst. Manager, State Food Corporation, Dinara, P.S.- Dinara, District -Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar through the District Manager, State Food Corporation, Rohtas at Sasaram Bihar bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ravish Mishra, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Singh, APP
For the O.P. No. 2	:	Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-04-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no. 2.

2. The petitioner seeks bail in connection with Dinara P.S. Case No. 489 of 2018, instituted for the offences under Sections 409 and 420 of the Indian Penal Code.

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 24.06.2025 passed in Cr. Misc. No. 7538 of 2025 taking into consideration the direct allegation of committing criminal breach of trust as also embezzlement of huge amount of



government money against the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 06.09.2024 without any rhymes or reason and has got one criminal antecedent in which he has been acquitted by the learned Court below. It is submitted that charge has already been framed against the petitioner and out of seven witnesses, only two witnesses have been examined in this case. 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 and learned counsel for the opposite party no. 2 have 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 Dinara P.S. Case No. 489 of 2018, 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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