

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25266 of 2026

Arising Out of PS. Case No.-101 Year-2024 Thana- MUSRIGHRARI District- Samastipur

Abhishek Satyarahi @ Chandan S/O Nirmal Das Resident of Village- Lat
Basepura, Police Station- Musarigharari, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar, Adv. Mr. Lalan Pd. Singh, Adv. Mr. Bhaskar Anand, Adv.
For the Opposite Party/s	:	Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-07-2026 Heard the parties.

2. The present is the second regular bail preferred by petitioner on the sole ground of the custody period as the petitioner remains in custody for about 2 years since 29.08.2024.

3. On previous occasion it was submitted that this matter is pending for examination of Investigating officers for long nine months, and certainly the petitioner cannot be kept behind bar for indefinite period of time, in want of trial. In support of his submission learned counsel submitted that the right *qua* speedy trial is the fundamental right as available under Article 21 of



Constitution of India. In this context learned counsel relied upon the legal report of Hon'ble Supreme Court as available through ***Hussainara Khatton and Ors. vs. Home Secretary, State of Bihar*** as reported in ***(1980) 1 SCC 81: 1980 SCC (Cri) 23.***

4. Taking note of aforesaid submissions, regarding none examination of I.O. for such long period, Superintendent of Police, Samastipur was called for to attend Court proceeding physically today in terms of order dated 19.06.2026.

5. S.P., Samastipur is present in person and submitted his explanation, which speaks that I.O. of this case has already examined on 23rd and 24th of June, 2026. It is also submitted that the delay is not on the part of state agency rather on the part of petitioner himself, as petitioner filed recall petition of four private witnesses.

6. Aforesaid submission could not be disputed by learned counsel for the petitioner.



7. Certainly petitioner cannot take advantage of his own wrong, as the delay is not on the part of the State agency, in terms of aforesaid discussions.

8. Considering aforesaid aspect the present second prayer of bail as pressed by petitioner stands **rejected**.

9. Presence of SP, Samastipur is dispensed with.

(Chandra Shekhar Jha, J)

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