

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27436 of 2026

Arising Out of PS. Case No.-59 Year-2005 Thana- KHIJARSARAI District- Gaya

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Ram Jeevan Singh @ Sudershan Singh S/O Late Udhabh Singh Residrne Of
Village- Siswar, P.s.- Khizersarai, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

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

ORAL ORDER

2 01-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khizersarai P.S. Case No. 59 of 2005, instituted for the offences
under Sections 147, 148, 149, 302, 307, 324 of the Indian Penal
Code read with Section 27 of the Arms Act and Section 17 of
the C.L.A Act.

3. This is the third attempt of the petitioner for bail.
The petitioner has renewed his prayer for grant of regular bail
which was earlier rejected by a co-ordinate Bench of this Court
vide order dated 10.05.2024 passed in Cr. Misc. No. 22074 of
2024 taking into consideration the nature of accusation and
delay of the petitioner in surrendering before the learned Court



below. Further the prayer for grant of regular bail of the petitioner was also rejected by this Court vide order dated 05.08.2025 passed in Cr. Misc. No. 28093 of 2025 taking into consideration the stage of the case.

4. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 04.02.2021 without any rhyme or reason and has got three criminal antecedents. It is submitted that earlier the regular bail of the petitioner was rejected with an observation to renew his prayer for bail before the learned Court below if the trial is not concluded within a period of five months. It is next submitted that out of eleven charge-sheeted witnesses, only six 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 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 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 Khizersarai P.S. Case No. 59 of 2005, 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 and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

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

(V) The petitioner shall not leave the territorial jurisdiction of the learned Court below without taking prior permission of the Court concerned.



If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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