

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32309 of 2026

Arising Out of PS. Case No.-197 Year-2024 Thana- PUNPUN District- Patna

Belson Joan S/o Raj Kumar Sao R/o Village - Mahmadalichak, P.S. -
Nauabatpur, Dist. - Patna(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, A.PP

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

ORAL ORDER

2 08-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Punpun P.S. Case No. 197 of 2024, instituted for the offence
under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita,
2023.

3. Earlier, vide order dated 07.07.2025 passed in
Cr. Misc. No. 17290 of 2025, regular bail of the petitioner was
rejected by this Court considering the nature and gravity of the
offence as alleged against the petitioner as also taking into
account the materials available on record, with directed to the
Court below to expedite the trial and conclude the same
expeditiously.

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, only two witnesses has been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.08.2024. Learned counsel for the petitioner further submitted that other co-accused persons have been granted regular bail by this Bench on 17.02.2025 passed in Criminal Miscellaneous No. 79594 of 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. 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 Punpun P.S. Case No. 197 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.

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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