

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36362 of 2026

Arising Out of PS. Case No.-41 Year-2020 Thana- RAMKRISHNANAGAR District- Patna

Chandan Kumar @ Chandan Gop Son of Om Prakash Yadav Resident of
Village - Belwarganj, Near Anand Mall, West Darwaja, Police Station -
Alamganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

2 19-06-2026 Heard Mr. Jay Ram Prasad learned counsel for the
petitioner and Ms. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with Special
Case No. 931 of 2020, arising out of Ramakrishna Nagar P.S.
Case No. 41 of 2020 instituted for the offence under Section 302
of the Indian Penal Code and Section 27 of the Arms Act.
Earlier vide orders dated 02.12.2020, 15.12.2021, 21.12.2022,
20.04.2024 & 06.02.2026 passed in Cr. Misc. No. 26329 of
2020, Cr. Misc. No. 46905 of 2021, Cr. Misc. No. 47567 of
2022, Cr. Misc. No. 4091 of 2024 & Cr. Misc. No. 60452 of
2025, respectively regular bail of the petitioner was rejected by
Co-ordinate Bench of this Court as well as from this Court.

3. Learned counsel for the petitioner submits that the



present one is the sixth attempt for grant of regular bail to the petitioner. It is mainly submitted that charge in this case is framed and till date, eight (8) out of ten (10) witnesses have been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.02.2020, having one criminal antecedent. 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.

4. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

5. 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.

6. Let the petitioner be released on bail on furnishing



bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Case No. 931 of 2020, arising out of Ramakrishna Nagar P.S. Case No. 41 of 2020, 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)

Raj Kishore/-

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