

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32982 of 2026

Arising Out of PS. Case No.-39 Year-2025 Thana- Rangara District- Bhagalpur

Matish Kumar Tatma S/o Sri Nandlal Tatma R/o Village - Kothiya, P.S -
Bardha, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr.Pranav Kumar, A.P.P.

**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
Sessions Trial no. 922 of 2025, arising out of Rangra P.S Case
No. 39 of 2025, instituted for the offence under Sections 137(2)
and 96 of Bharatiya Nyaya Sanhita, 2023

3. Earlier, vide order dated 23.09.2025, passed in
Cr. Misc. No. 48645 of 2025, regular bail of the petitioner was
rejected by this Court considering the statement of victim
recorded under section 183 of the BNSS, with a liberty to renew
the prayer after six months if the trial is not concluded.

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, and no prosecution witness has been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.03.2025. 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 Sessions Trial
no.922 of 2025, arising out of Rangra P.S Case No. 39 of 2025,
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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