

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33039 of 2026

Arising Out of PS. Case No.-28 Year-2024 Thana- Charkapathar District- Jamui

Sanjeet Singh S/o Dono Singh @ Gajadhar Singh Resident of Village-
Maheshwari, P.S.- Charkapathar, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikramadit
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-07-2026 Heard the parties.

2. The petitioner seeks bail in connection with
Charkapathar P.S. Case No. 28 of 2024 registered for the
offence under Sections 304(B), 201, 34 of the I.P.C.

3. Present is the second prayer of regular bail
which is pressed on behalf of the petitioner on the twin
grounds i.e., custody period and slow progress of the trial.
Prior to this the prayer of bail of petitioner was rejected by
this Court, considering all available merits through Cr. Misc.
No. 9486 of 2025 dated 23.07.2025.

4. Learned counsel appearing on behalf of the
petitioner submitted that while rejecting the aforesaid bail



petition, this Court directed learned trial court to conclude the trial preferably within a period of nine months and said order was also communicated to the office of S.P., Jamui to ensure the presence of charge-sheeted witnesses but despite aforesaid directions even charge could not frame in this matter and as such petitioner remains in custody for about one year and ten months ie., since 23.09.2024 with no progress in trial.

5. Arguing further, it is submitted that due to fault of state machinery, petitioner cannot be kept in jail for indefinite period in want of trial. It is submitted that such slow progress of trial is in violation of fundamental right of petitioner as available under Article 21 of the Constitution of India *qua* speedy trial. 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***. Learned counsel further relied upon legal report as available through ***2026 LiveLaw (SC) 302*** as reported in the matter of ***Pardeep Kumar @ Banu***



vs. State of Punjab. While referring aforesaid order learned counsel relied heavily on para no. 6 of the order which run as :-

"Almost two years have passed since the appellant was arrested without trial having commenced and conclusion thereof nowhere being in sight. Incarceration without trial amounts to punishment".

6. Learned APP while opposing the prayer of bail could not disputed the aforesaid factual submission.

7. Upon perusal of record and report as asked for from the office of S.P., Jamui, it transpires that even charge could not frame in this case.

8. In view of aforesaid factual submission and by taking note of fact as despite of custody of petitioner for about one year and ten months even charge could not frame against petitioner in this matter, which primarily suggest that fundamental rights *qua* speedy trial of petitioner appears compromised, accordingly petitioner above named, is directed to be released on bail in connection with



Charkapathar P.S. Case No. 28 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Jamui /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS, subject to further condition that:-

"(I) Petitioner shall not, directly or indirectly, by making inducement, threat or promise, dissuade any person acquainted with the facts of the case from disclosing such facts to the court.
(ii) Petitioner shall diligently attend proceedings of the trial unless exempted. If he abstains from attending the proceedings without justifiable cause, that could also be seen as breach of the conditions for grant of bail and the trial court will be free to pass appropriate orders. "

(Chandra Shekhar Jha, J)

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