

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33316 of 2026

Arising Out of PS. Case No.-132 Year-2025 Thana- TARAIYA District- Saran

Manoj Mahto S/o Ramjit Mahato R/o Village - Gopalpur, P.S - Basantpur,
District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

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

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

ORAL ORDER

2 15-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Taraiya
P.S. Case No. 132 of 2025 instituted for the offence under
Sections 316(2), 318(4), 303(2), 316(5), 61(2) of the Bharatiya
Nyaya Sanhita, 2023.

3. Earlier, vide order dated 07.10.2025 passed in Cr.
Misc. No. 46173 of 2025, regular bail of the petitioner was
rejected by this Court considering the the fact that the
misappropriated sum was recovered from the house of the
petitioner, with a liberty to renew the prayer after five 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 in the light of the observation recorded by this Court while rejecting the earlier bail application of the petitioner. It is mainly submitted that charge in this case, cognizance has been taken on 26.08.2025 and charges have been framed on 20.09.2025 and only one witness has been examined as stated in paragraph no. 11 of the present bail application. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.05.2025 and has no 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.

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 as also the period of custody of the petitioner, 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 Taraiya P.S. Case No. 132 of 2025, 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)

Alok Verma/
Sukriti/-

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