

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37540 of 2026

Arising Out of PS. Case No.-214 Year-2024 Thana- CHAKIA District- East Champaran

Abdullah @ Abdullah Ansari Son of Md. Idrish @ Idrish Ansari @ Idris Ansari Resident of Village- Konhiya Tola Barkurwa, P.S.- Chakia, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 17-07-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Session Trial Case No. 100 of 2025 arising out of Chakia P.S. Case No. 214 of 2024 instituted for the offence under Sections 126(2), 115(2), 118(1), 109, 352, 303(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023. Subsequently, Section 103(1) of the BNS was added. Earlier vide orders dated 16.05.2025 & 28.11.2025, passed in Cr. Misc. No. 17875 of 2025 and Cr. Misc. No. 83526 of 2025, regular bail of the petitioner was rejected by this Court, respectively, with a liberty to renew the prayer after five months if the trial is not concluded in the last rejection order.

3. Learned counsel for the petitioner submits that the



present one is the third attempt for grant of regular bail to the petitioner. It is mainly submitted that charge in this case is framed and till date, no witness has been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.09.2024, having 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.

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 Session Trial Case No. 100 of 2025 arising out of Chakia P.S. Case No. 214 of 2024, 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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