

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4147 of 2025

Arising Out of PS. Case No.-282 Year-2024 Thana- BARH District- Patna

Praveen Kumar @ Parveen Singh @ Praveen Singh @ Parvin Kumar Singh
@ Praveen Kumar Singh S/O Ram Babu Singh R/O Village- Bhatgaon, P.S.-
Barh, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Nunu Lal Kumar S/O Fagu Paswan R/O Village- Bhatgaon, P.S.- Barh,
District- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Prem Kumar, Advocate
For the Respondent/s	:	Mrs. Usha Kumari I, SPP
For the Informant	:	Mr. Chetanand Paswan, Advocate

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

ORAL ORDER

3 09-01-2026 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the informant.

2. The instant appeal has been filed by the appellant
against the order dated 15.09.2025 passed by learned Exclusive
Special Judge, SC/ST Act, Civil Court (Sadar), Patna whereby
the prayer for bail of the appellant in connection with Barh P.S.
Case No. 282 of 2024 under Sections 302, 201, 34 of the Indian
Penal Code and Section 3(2)(v) of SC/ST Act was rejected.

3. Earlier, vide order dated 25.03.2025 passed in Cr.
Appeal (SJ) No. 5723 of 2024, the prayer for grant of bail to the



appellant was rejected considering the material against the appellant in the case diary.

4. Learned counsel for the appellant submits that the present one is the second attempt for grant of regular bail to the appellant. It is mainly submitted that out of seven witnesses, only three witnesses have been examined, which is evident from the stage report sent by learned court below itself. It has been submitted on behalf of the appellant that the appellant is in custody since 27.04.2024 . 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 appellant 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 appellant.

6. Considering the aforesaid facts and circumstances of the case, period of custody of the appellant and taking into account the fact that continued detention of the appellant 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 appellant. Accordingly, the appeal is allowed and order dated 15.09.2025 passed by learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar), Patna in connection with Barh P.S. Case No. 282 of 2024 is hereby set aside.

7. Let the appellant, abovenamed, 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 Barh P.S. Case No. 282 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the appellant.

(II) The appellant 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 appellant.

(Rudra Prakash Mishra, J)

Alok Verma/-

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