

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78648 of 2025

Arising Out of PS. Case No.-172 Year-2023 Thana- MANPUR District- Nalanda

Shukar Manjhee @ Arun Manjhee @ Shukar Manjhi @ Arun Manjhi S/O
Bilaiti Manjhee @ Bilayati Manjhi R/O Vill.- Makhdumpur Tadapur, P.S.-
Giriyak Manpur, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anwar Karim, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, A.P.P.

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

ORAL ORDER

5 06-02-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with S.Tr.
No. 136 of 2024, arising out of Manpur P.S. Case No. 172 of
2023 instituted for the offence under Sections 188, 302/34 of the
Indian Penal Code and Sections 25(1-B)a, 26, 35, 27 & 25(9) of
the Arms Act.

3. Earlier vide order dated 22.11.2024 passed in Cr.
Misc. No. 61250 of 2024, regular bail of the petitioner was
rejected by this Court considering the nature and gravity of the
offence, with a direction to the learned Trial court to expedite
the trial as expeditiously as early as possible without any undue
delay and unnecessary adjournments.

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, only official witnesses i.e. I.O and Doctor are remained to be examined. It is further submitted that after a lapse of seven months neither Doctor nor I.O has been examined in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.09.2023. 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 S.Tr. No. 136 of 2024, arising out of Manpur P.S. Case No. 172 of 2023, 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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