

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74447 of 2025

Arising Out of PS. Case No.-1534 Year-2023 Thana- DANAPUR District- Patna

Dabloo lohar S/O Late Ramswaroop Mistri R/O Digha, Bans Kothi, Gate no.-
93, P.S- Digha, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

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

ORAL ORDER

3 03-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Danapur P.S. Case No. 1534 of 2023, S.T. No. 856 of 2024 instituted for the offence under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Earlier vide order dated 03.12.2024 passed in Cr. Misc. No. 64570 of 2024, regular bail of the petitioner was rejected by this Court considering the complicity of the petitioner in the alleged occurrence.

3. 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 four witnesses have been examined out of ten charge-sheeted witnesses, which is evident from the stage report dated 14.11.2025 sent by the learned court below. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.12.2023 . 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.

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/- (Rupees Fifteen Thousand) with two



sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Danapur P.S. Case No. 1534 of 2023, S.T. No. 856 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 prosecution will have liberty to move for cancellation of bail.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

If any of the above conditions are violated, the prosecution will have liberty to file appropriate application for cancellation of bail of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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