

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82750 of 2025

Arising Out of PS. Case No.-709 Year-2023 Thana- GAURICHAK District- Patna

Golden Das @ Golden Kr. Das Son of Late Nand Lal Das R/o Mohalla- Das
Mohalla, Ward No. 3, P.S.- Nabinagar, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, A.P.P.

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

ORAL ORDER

3 09-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Gaurichak P.S. Case No. 709 of 2023, instituted for the offences under Sections 147, 148, 149, 188, 307, 323, 324, 325, 332, 333, 337, 338, 353, 427, 504 and 506 of the Indian Penal Code.

3. Earlier vide order dated 30.06.2025 passed in Criminal Miscellaneous No. 41705 of 2025, regular bail of the petitioner was rejected by this Court considering the criminal antecedents and nature of accusation and the gravity of the offence, with a liberty to renew the prayer after four 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. It is mainly submitted that Charge in this case is framed. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.01.2025. 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 Gaurichak P.S. Case
No. 709 of 2023, 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)

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