

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89593 of 2025

Arising Out of PS. Case No.-244 Year-2024 Thana- PASRAHA District- Khagaria

Jagjeevan Yadav @ Jaggan Yadav@ Jagan Yadav Son of Sikandar Yadav R/o
Village - Bandhera, P.S. - Pasraha, Dist. - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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

ORAL ORDER

2 16-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with S.T.
No. 179 of 2025 arising out of Pasraha P.S. Case No. 244 of
2024, G.R. No. 3143 of 2024 instituted for the offence under
Sections 126(2), 115(2), 117(2), 109, 304, 352, 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. Earlier vide order dated 06.03.2025 passed in Cr.
Misc. No. 13132 of 2025 regular bail of the petitioner was
rejected by this Court considering the fact that petitioner
assaulted the informant by means of pistol causing injuries to
him.

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-sheet has been submitted and charge has already been framed but still none of the witnesses have been examined, which is evident from the impugned order itself. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.11.2024. 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 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 S.T. No. 179 of 2025 arising out of Pasraha P.S. Case No. 244 of 2024, G.R. No. 3143 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)

Alok Verma/-

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