

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88126 of 2025

Arising Out of PS. Case No.-328 Year-2020 Thana- VAISHALI District- Vaishali

Manish Kumar @ Chintu S/O Rampravesh Thakur Resident of Village-
Bhagwanpur Ratti, P.S- Vaishali, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. P.N. Shahi, Sr. Adv.

Mr. Amit Anand, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-02-2026 Heard the parties.

2. Present is second successive bail of petitioner after rejection of first prayer of bail of petitioner, through Cr. Misc. No. 68119 of 2024 dated 18.10.2024.

3. The present bail petition is preferred solely on the ground of custody period and slow progress of trial.

4. Mr. PN Shahi, learned senior counsel submitted that petitioner remains in custody since 19.02.2024 i.e., almost about two years and till now only 6 charge-sheeted witnesses were examined in this case out of 10. In this connection, it is pointed out that the



testimony of informant who examined before learned trial court as P.W.-4 giving clean chit to the petitioner qua his involvement with present crime in question.

5. Arguing further, it is submitted that petitioner cannot be kept behind bar for unlimited period in want of trial and as such slow progress of trial is violation of fundamental right of petitioner as available under Article 21 of the Constitution of India. In support of his submission learned senior counsel relied upon the legal report of Hon'ble Supreme Court as available through ***Hussainara Khatoon & Ors Vs. Home Secretary, State of Bihar, [1980 (1) SCC 98]***.

6. Learned APP while opposing the prayer of bail could not disputed aforesaid factual submission *qua* custody period.

7. In view of aforesaid factual submission and by taking note of fact as still this matter is pending for examination of prosecution witnesses, where petitioner remains in custody about two years i.e., since 19.02.2024



, suggesting violation of fundamental right of petitioner as available under Article 21 of the Constitution of India, accordingly petitioner above named, is directed to be released on bail in connection with Vaishali P.S. Case No. 328 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Addl. Sessions Judge XII, Vaishali at Hajipur /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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