

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37685 of 2025

Arising Out of PS. Case No.-23 Year-2023 Thana- BELA District- Sitamarhi

Sunil Kumar Sahni @ Sunil Sahni S/o Ramprit Sahni R/o Village- Purandaha
Rajwara, P.S.- Sonbarsa, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

3 12-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sessions Trial No. 164 of 2024 arising out of Bela P.S. Case No.
23 of 2023 instituted for the offences under Sections 364A, 302,
201, 120B, 34 of the Indian Penal Code.

3. Earlier vide order dated 22.08.2023 passed in Cr.
Misc. No. 41319 of 2023 the prayer for grant of bail to the
petitioner was rejected by a coordinate Bench of this Court.

4. Learned counsel for the petitioner mainly submitted
that the petitioner has been languishing in jail since 23.01.2023
and there is no significant progress in the trial and there is no
likelihood of conclusion of trial in near future and therefore,



petitioner may be released on bail. Learned counsel further submitted that continued incarceration of the petitioner without conclusion of the 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. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. As per the report dated 18.07.2025 sent by the learned court below, the trial is running for prosecution evidence. Learned counsel further submitted that S.T. No. 182 of 2024 and S.T. No. 333 of 2024 arises out of same P.S. Case, and was therefore, amalgamated with S.T. No. 164 of 2024 and the charges against the accused persons have already been framed.

8. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, since from perusal of the report of the court below, it appears that there is no likelihood of the trial being concluded in the near future 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.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bela P.S. Case No. 23 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)

Alok Verma/-

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