

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68476 of 2025

Arising Out of PS. Case No.-92 Year-2024 Thana- PARBATTa District- Bhagalpur

Md. Sanowar @ Bullesh @ Bulesh Son of Israfil @ Shekh Israfil @ Shekh
Tsraphil Resident of Village - Shekh Tola, Jhandapur, P.S.- Bihpur
(Jhandapur), District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

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

ORAL ORDER

2 19-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Parbatta P.S. Case No. 92 of 2024 instituted for the offence
under Sections 363, 365 of the Indian Penal Code and 302, 201,
34 of the Indian Penal Code.

3. Earlier vide order dated 02.12.2024, passed in Cr.
Misc. No. 71259 of 2024 regular bail of the petitioner was
rejected by this Court taking into account the nature and gravity
of offence.

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 in this case, charge has



been framed on 22.10.2024 but since then, there is no progress in the trial. Learned counsel further submits that there is no likelihood of the trial being concluded in the near future. It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.05.2024. 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 Parbatta P.S. Case
No. 92 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/-

U		T	
---	--	---	--

