

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14889 of 2026

Arising Out of PS. Case No.-80 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

Sujit Sah @ Sujeet Kr. Sah S/o Late Jaynarayan Shah @ Jay Narayan Shaw
Resident of vill- Itwa Bichola Tola, PS- Pachrukhi, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

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

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

ORAL ORDER

4 15-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Siwan
Muffasil P.S. Case No. 80 of 2020, instituted for the offences
under Sections 302, 307 and 34 of the Indian Penal Code.

3. This is the second attempt of the petitioner for bail.
The petitioner has renewed his prayer for grant of regular bail
which was earlier rejected by this Court vide order dated
25.06.2025 passed in Cr. Misc. No. 18939 of 2025 taking into
consideration the direct allegation against the petitioner which is
corroborated by postmortem report as also from the confessional
statement of the petitioner.



4. In compliance of the order dated 03.04.2026, a report dated 04.05.2026 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that out of eight charge-sheeted witnesses, only two witnesses have been examined in this case. It is further reported that the trial is likely to be concluded within a period of seven months.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 21.02.2022 without any rhymes or reason and has got five criminal antecedents. Learned counsel for the petitioner next submits that liberty of six months was granted to the petitioner to renew his prayer for bail before the learned Court below if the trial is not concluded within a period of six months. It is further submitted 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 reiterated by Hon'ble Apex Court in plethora of Judgments.

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

7. Considering the aforesaid facts and circumstances of



the case, the period of custody undergone by 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.

8. 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 Siwan Muffasil P.S. Case No. 80 of 2020, 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)

Rajorshi/-

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

