

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7032 of 2026

Arising Out of PS. Case No.-249 Year-2024 Thana- BAKHTIYARPUR District- Patna

Archana Kumari Wife of Sobodh Kumar Resident of Village- Raghapur, P.S.-
Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gautam, Advocate

For the Opposite Party/s : Mr.Bharat Lal, A.P.P.

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

ORAL ORDER

2 30-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bakhtiyarpur P.S. Case No. 249 of 2024, instituted for the
offence under Sections 363 and 365 of the Indian Penal Code
later on, Section 302, 201, 120(b) and 34 of the was also added.

3. Earlier vide order dated 16.04.2025 passed in Cr.
Misc. No. 3083 of 2025, regular bail of the petitioner was
rejected by this Court considering the enough material against
the petitioner in the case diary, with a liberty to renew the prayer
after six months if the trial is not concluded.

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 charge in this case is



framed and till date, out of six prosecution witnesses only four witnesses have been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.05.2024. 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.

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, petitioner is lady and considering the 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 Bakhtiyarpur
P.S. Case No. 249 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)

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