

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11445 of 2026

Arising Out of PS. Case No.-137 Year-2024 Thana- HASANPUR District- Samastipur

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Garib Das @ Sonu Kumar Singh Son of Chandrakant Singh Resident of
Village - Aatapur, P.S.- Hasanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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

ORAL ORDER

2 13-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Hasanpur P.S. Case No. 137 of 2024, instituted for the offences
under Sections 103(1), 61(2) and 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

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
10.10.2025 passed in Cr. Misc. No. 26482 of 2025 taking into
consideration the nature of accusation and the gravity of the
offence as also the stage of the case.



4. Learned counsel for the petitioner submitted that the petitioner is languishing in judicial custody since 12.11.2024 without any rhymes or reason and has got no criminal antecedent. It is also submitted that charge has already been framed against the petitioner on 03.09.2025 and out of seven charge-sheeted witnesses, no any witness has been examined in this case. Learned counsel for the petitioner next submits 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.

5. Learned APP 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, 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.

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 Hasanpur P.S. Case
No. 137 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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