

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25870 of 2026

Arising Out of PS. Case No.-270 Year-2023 Thana- LAKHNAUR District- Madhubani

Sanjeev Thakur@ Sanjiv Thakur @ Sanjiv @ Kanhaiya Thakur @ Pankaj
Kumar Thakur@ Pankaj Thakur S/o- Chaturanand Thakur Village- Baluatol
PS-Lakhnaur, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate

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

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

ORAL ORDER

4 17-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Lakhnaur P.S. Case No. 270 of 2023, instituted for the offences
under Sections 302/34 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
24.06.2025 passed in Cr. Misc. No. 18300 of 2025 taking into
consideration the nature and gravity of the offence as alleged
against the petitioner.

4. In compliance of the order dated 15.05.2026, a
report dated 05.05.2026 with regard to the present stage of trial



has been received. From perusal of the aforesaid report, it appears that cognizance has been taken against the petitioner.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 02.08.2024 without any rhymes or reason and has got one criminal antecedent. Learned counsel for the petitioner next submits that previously, liberty of six months was granted to the petitioner to renew his prayer before the learned Trial Court, if the trial is not concluded within a period of six months. It is also submitted that till date charge has not been framed against the petitioner. 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 Lakhnaur P.S. Case No. 270 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)

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