

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30414 of 2026

Arising Out of PS. Case No.-186 Year-2023 Thana- NADI P.S. District- Patna

=====

Sujit Chaudhary @ Sujit Choudhary S/o- Sanjeet Choudhary R/v- Jedhuli Ps-
Nadi Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar

2. XXX S/o- YYY R/v- Jedhuli Po- Kachchi Dargah Ps- Nadi Dist- Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shabina Talat, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

=====

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

ORAL ORDER

3 24-07-2026 Heard learned counsel for the petitioner and learned

APP for the State. Despite valid service of notice, none appeared

on behalf of opposite party no. 2.

2. The petitioner seeks bail in connection with Nadi
P.S. Case No. 186 of 2023, instituted for the offences under
Sections 366(A) 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
05.02.2025 passed in Cr. Misc. No. 47138 of 2024 taking into
consideration facts and circumstances of the case and Section
164 Cr.P.C. statement of the minor victim.

4. In compliance of the order dated 01.05.2026, a
report dated 30.06.2026 with regard to the present stage of trial



has been received. From perusal of the aforesaid report, it appears that charge has already been framed against the petitioner on 07.10.2024 and out of six charge-sheeted witnesses, five witnesses have already been examined in this case. It is further reported that the trial is likely to be concluded within a period of three months.

5. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 06.11.2023 without any rhymes or reason and the petitioner has got no criminal antecedent. 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.

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 Nadi P.S. Case No. 186 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 and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

(IV) Petitioner shall not commit offence of similar nature in future.

If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

