

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47438 of 2026

Arising Out of PS. Case No.-205 Year-2024 Thana- JALALPUR District- Saran

=====

Aman Tiwari @ Aman Kumar Tiwari son of Bhim Tiwari Resident Of Village
- Mangolapur, Ps- jalalpur, Dist- Saran Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP
For the Informant	:	Mr. Ajay Kumar Tiwary, Advocate

=====

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

ORAL ORDER

2 10-07-2026 Heard Mr. Brij Kishor Mishra, learned counsel for

the petitioner and Mr. Choubey Jawahar, learned APP for the

State and Mr. Ajay Kumar Tiwary, learned counsel for the

informant.

2. The petitioner seeks bail in connection with

Jalalpur P.S. Case No. 205 of 2024, instituted for the offences

under Sections 191(3), 190, 118(1), 118(2), 109 and 103(1) of

the Bharatiya Nyaya Sanhita, 2023.

3. This is the third attempt of the petitioner for bail.

The petitioner has renewed his prayer for grant of regular bail

which was earlier twice rejected by this Court vide order dated

02.07.2025 passed in Cr. Misc. No. 19311 of 2025 and vide

order dated 12.12.2025 passed in Cr. Misc. No. 85864 of 2025



taking into consideration the facts and circumstances of the case, statement of the injured, nature of accusation and gravity of the offence.

4. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 28.08.2024 without any rhymes or reason and has got no criminal antecedent. Learned counsel for the petitioner next submits that previously, the petitioner was granted liberty of six months 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, only charge has been framed against the petitioner on 10.07.2025 and thereafter no any progress has been made in this case. 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.

5. Learned APP for the State and learned counsel for the informant have 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 Jalalpur P.S. Case No. 205 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

