

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70556 of 2025

Arising Out of PS. Case No.-70 Year-2022 Thana- PALIGANJ District- Patna

Vinod Yadav @ Vinod Kumar @ Binod Yadav @ Binod Kumar S/O
Vidyanand Yadav R/O Vill.- Kodara, P.S.- Paliganj, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

**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 Session Trial Case No. 1124 of 2023 arising out of Paliganj P.S. Case No. 70 of 2022 instituted for the offence under Sections 147, 148, 149, 323, 307, 354(B) & 504 of the Indian Penal Code and Section 27 of the Arms Act. Earlier vide order dated 27-04-2023, passed in Cr. Misc. No. 65823 of 2022, anticipatory bail of the petitioner was rejected by a Co-ordinate Bench of this Court. Again vide order dated 28.11.2023, passed in Cr. Misc. No. 64013 of 2023, regular bail of the petitioner was again rejected. Vide order dated 10.01.2025, passed in Cr. Misc. No. 47416 of 2024, regular bail of the petitioner was third time



rejected.

3. Learned counsel for the petitioner submits that the present one is the third attempt for grant of regular bail to the petitioner. It is mainly submitted that charge in this case is framed and till date, one witness is yet to be examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09-06-2023, having three criminal antecedents. 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.

4. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

5. Considering the aforesaid facts and circumstances of the case, 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.

6. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Session Trial Case No. 1124 of 2023, arising out of Paliganj P.S. Case No. 70 of 2022, 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)

Raj Kishore/-

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