

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82947 of 2025

Arising Out of PS. Case No.-254 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

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Jay Jay Sahni S/o- Paro Sahni @ Parameshwari Sahni R/o - Puraini Bazar
(Puraini), Ps- Puraini, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

3 09-01-2026 Heard Dr. Sanjay Kumar Singh, learned counsel for
the petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with
Udakishunganj P.S. Case No. 254 of 2023 instituted for the
offence under Sections 302, 120B of the Indian Penal Code and
Section 27 of the Arms Act.

3. Earlier vide order dated 30.08.2024 passed in Cr.
Misc. No. 44924 of 2024, regular bail of the petitioner was
rejected by this Court considering the role of the petitioner in
the alleged offence.

3. Learned counsel for the petitioner submits that the
present one is the second attempt for grant of regular bail to the
petitioner. It is mainly submitted that there are seven charge-



sheeted witnesses but only two witnesses have been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.01.2024. 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Udakishunganj P.S.
Case No. 254 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)

Alok Verma/-

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