

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1914 of 2026

Arising Out of PS. Case No.-142 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Sonu Kumar S/O Kari Paswan Resident of Village- Harail, P.S- Mohiuddin
Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay K Singh, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

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

ORAL ORDER

2 17-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Mohiuddin Nagar P.S. Case No. 142 of 2023, instituted for the
offences under Sections 306 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
06.12.2024 passed in Cr. Misc. No. 35768 of 2024 taking into
consideration the nature and gravity of the offence and
specifically taking into account the fact that the trial is on the
verge of its conclusion.

4. Learned counsel for the petitioner submits that the



petitioner is languishing in judicial custody since 19.10.2023 without any rhymes or reason and has got one criminal antecedent in which he is on bail. It is next submitted that charge-sheet has been submitted and charge has already been framed agaisnt the petitioner. Total eight witnesses have already been examined in this case and only doctor is yet to be examined. 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.

5. Learned APP for the State has 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 Mohiuddin Nagar
P.S. Case No. 142 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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