



ITEM NO.52

COURT NO.16

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 7102/2026

[Arising out of impugned final judgment and order dated 23-02-2026
in CRLM No. 12747/2026 passed by the High Court of Judicature at
Patna]

MUKESH TIWARI @ MUKESH PANDEY

Petitioner(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

(FOR ADMISSION

IA No. 120207/2026 - EXEMPTION FROM FILING O.T.)

Date : 30-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :

Mr. Subhro Sanyal, AOR

For Respondent(s) :

Mr. Anshul Narayan, Adv.

Mr. Prem Prakash, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. Heard Mr. Subhro Sanyal, learned counsel appearing for the petitioner and Mr. Anshul Narayan, learned counsel appearing on advance notice for the respondent-State.

2. The present Special Leave Petition calls in question the correctness of the order of the High Court dated 23rd February, 2026 in CRLM No. 12747/2026 passed by the High Court of Judicature at Patna.

3. The petitioner is facing trial for offence under Section 304 of the Bharatiya Nyaya Sanhita, 2023

4. Learned counsel for the petitioner submits that the petitioner has already undergone 10 months imprisonment and that the maximum punishment is 3 years. The offence is also a Magistrate triable offence.

5. Mr. Anshul Narayan, learned counsel for the respondent-State submits that the petitioner has antecedents.

6. Considering the overall facts and circumstances of the case, especially the fact that the petitioner is in custody for 10 months in a case where the maximum sentence is 3 years, we are inclined to enlarge the petitioner on bail.

7. Accordingly, the petitioner is directed to be enlarged on bail, if not required in any other case, subject to terms and conditions that the Trial Court may think fit to impose.

8. The Special Leave Petition is disposed of in the above terms.

9. Pending application shall also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(MANOJ KUMAR)
COURT MASTER