

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20239 of 2025

Arising Out of PS. Case No.-224 Year-2021 Thana- MASAUDHI District- Patna

Manish Kumar Gupta @ Manish Kumar S/O Sidheshwar Prasad R/o Village-
Gangachak Malikana, P.S.- Masaurhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr. Anjani Pd. Singh, Advocate
		Mr. Sunny Kumar, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-06-2025 Heard Dr. Anjani Pd. Singh, learned counsel for
the petitioner and Mr. Abhay Kumar Roy, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.10.2022 in connection with Masaurhi P.S. Case No. 224 of
2021, F.I.R. dated 07.05.2021 for the offences punishable under
Sections 304B/34 of the Indian Penal Code.

3. Earlier the bail application of the petitioner was
rejected vide order dated 11.09.2023 passed in Cr. Misc. No.
25352 of 2023. Thereafter, the petitioner has again moved for
bail in Cr. Misc. No. 9280 of 2025 but the same was dismissed
as withdrawn vide order dated 14.02.2025 with liberty to the
petitioner to move before the learned Court below.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. In fact, the deceased has committed suicide herself. The petitioner is in custody since 19.10.2022 and the trial is not in progress.

5. Vide order dated 04.04.2025 a report was called with regard to present stage of trial. Report of the learned Trial Court dated 15.04.2025 reveals that the charge has already been framed against the petitioner on 19.02.2024 and the summons to the witnesses were issued on different dates. Apart from that a Bailable Warrant has also been issued to witnesses on 27.02.2025 and despite that, the prosecution has not adduced any witnesses as yet.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court the trial is not likely to be concluded in the near future and the petitioner is in custody since 19.10.2022.

7. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.



8. Considering the aforesaid facts and circumstances, report of the learned Trial Court as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-1, Masaurhi, Patna in connection with Masaurhi P.S. Case No. 224 of 2021, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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