

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25756 of 2025

Arising Out of PS. Case No.-42 Year-2022 Thana- BISHANPUR District- Darbhanga

Rupesh Kamti S/o Kameswar Kamti R/o Village- Rampurdih, P.S.- Bisanpur,
Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-04-2025 Heard Mr. Baidyanath Prasad, learned counsel for the
petitioner and Mr. Satyendra Narayan Singh, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
25.08.2022, in connection with Bisanpur P.S. Case No. 42 of 2022,
F.I.R. dated 27.03.2022 registered for the offences punishable
under Sections 304(B)/34 of the Indian Penal Code.

3. Earlier the prayer for bail of the petitioner was twice
rejected vide order dated 20.07.2023 and order dated
20.09.2024 in Cr. Misc. NO. 10868 of 2023 and Cr. Misc. No. 36681
of 2024 respectively.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case merely on the ground that he is the



husband of the deceased and the petitioner is in custody since 25.08.2022 and the trial is not concluded as yet. He has referred the impugned order which suggests that charge has been framed on 31.01.2023 under Sections 302/34, 304(B)/34 and 498A/34 of the Indian Penal Code and the prosecution has examined only three witnesses out of nine chargesheeted witnesses.

5. Learned counsel for the petitioner further submits that in view of the aforesaid, there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 25.08.2022 more than two years and seven months.

6. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that earlier the bail petition of the petitioner was twice rejected by this Court after considering all the facts.

7. Considering the aforesaid facts and circumstances of the case and the fact that the petitioner is in custody since 25.08.2022 and the trial is not in progress and also transpires from the impugned order that out of nine chargesheeted witnesses, only three witnesses have been examined as yet, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Additional Sessions Judge-Vth, Darbhanga in connection with
Bisanpur P.S. Case No. 42 of 2022, subject to the following
conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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