

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.32023 of 2025

Arising Out of PS. Case No.-242 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Kunal Kishore @ Kunal Kumar @ Kunal Kishor @ Kishore Kunal Son of Sri
Kishore Kumar Gupta @ Kishor Kumar Gupta Resident of village - Pratap
Patti, P.S.- Sahebganj, District – Muzaffarpur. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mrs. Vaishnavi Singh, Adv.
For the State : Mr. Anil Prasad Singh, APP
For the informant Mr. Ranjit Kr. Thakur, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

3 18-07-2025 Heard Mr. Ajay Kumar Thakur, learned counsel for
the petitioner, learned Additional Public Prosecutor for the State
and learned counsel for the informant.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 120B, 34 of the Indian
Penal Code.

3. Allegation in the first information report is that the
marriage of the petitioner was solemnized with the deceased i.e.
the sister of the informant on 08.03.2008 and since past 4-5
years the petitioner had developed illicit relationship with one
Dolly Jaiswal which was being objected to by the deceased and
it is due to this reason that the petitioner along with others killed
the deceased.

4. Learned counsel for the petitioner submits that as a
matter of fact, the deceased had committed suicide by jumping
from the roof. Further submission is that the petitioner duly



informed the informant and others about the incident and the informant not only participated in the funeral of his sister but was even the signatory to the inquest report as would be evident from paragraph-2 of the case diary. Further, the materials collected during the course of investigation indicate that except for suspicion, there is no other concrete material to establish the complicity of the petitioner. The independent witnesses, who have been examined in paragraphs- 12, 13, 115, 127 and 128 of the main case diary and paragraphs- 19 and 20 of the supplementary case diary, have all stated that they had heard a sound of someone falling in the night whereafter the petitioner along with other members of his family took her to the hospital but could not save her. The witnesses have also substantiated the argument that the informant and others were informed of the incident. Learned counsel for the petitioner has further drawn the attention of this Court to paragraph-40 of the case diary which contains the seizure list of a pen drive with regard to which it has been stated that it contains CCTV footage of the deceased falling from the roof. The petitioner is in custody since 20.12.2024 and charge-sheet has been submitted.

5. Learned counsel for the informant, however, opposes the grant of bail on the ground that the petitioner is the husband of the deceased against whom there is an allegation in



the first information report that he along with others have committed murder of the deceased. He has also submitted that it would be evident from paragraph-73 of the case diary that some photographs and screenshots of video calls have been produced before the Investigating Agency to show that there was an illicit relationship between the petitioner and Dolly Jaiswal.

6. Taking the rival contentions into consideration, let the above named petitioner, be enlarged 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 the learned court below where the case is pending/successor court in connection with Sahebganj P.S. Case No. 242 of 2024, subject to the condition that the petitioner would physically appear on each and every date before the court concerned till charges are framed in the case and in case of any deliberate attempt on behalf of the petitioner for causing delay in the framing of charges or in the progress of the trial, the learned court concerned would be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

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