

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49481 of 2025

Arising Out of PS. Case No.-80 Year-2019 Thana- GORAUL District- Vaishali

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Kundan Kumar @ Kundan Ram S/o Birendra Ram @ Virendra Ram Resident
of village- Rusalpur Hussain, P.S.- Goraul, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No. II, Adv.

Ms. Priyanka Kumari, Adv.

For the Opposite Party/s : Mr. Abhay Kumar, APP

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

ORAL ORDER

3 09-10-2025 Heard learned counsel for the petitioner and learned

APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Goraul
P.S. Case No. 80 of 2019 instituted for the offences under
Sections 302, 201, 120(B), 34 of the Indian Penal Code.

3. The petitioner has earlier moved before a Co-
ordinate Bench of this Court with a prayer for anticipatory bail
which was rejected vide order dated 23.03.2022 passed in Cr.
Misc. No. 13410 of 2021.

4. As per prosecution case, the accusation against the
accused persons including the petitioner is of committing torture
and, thereafter, causing death of the victim due to non-
fulfillment of dowry demand.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is the unfortunate brother who lost his sister and brother-in-law. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. He further submits that as a matter of fact, the deceased have committed suicide themselves due to their economic conditions. He further submits that there is no motive of the petitioner to kill his sister and his brother-in-law. The petitioner has no criminal antecedent and is languishing in judicial custody since 20.01.2025 without any rhymes or reason.

6. Learned counsel for the petitioner again submits that the co-accused have been granted bail by a Co-ordinate Bench of this Court vide orders dated 02.08.2019, 04.12.2019 and 09.11.2020 passed in Cr. Misc. Nos. 48043 of 2019, 56625 of 2019 and 24757 of 2020 respectively.

7. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

8. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner,



there being no specific allegation as also the prayer for bail being based on parity, let the petitioner, abovenamed, 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 Goraul P.S. Case No. 80 of 2019.

(Rudra Prakash Mishra, J)

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