

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55895 of 2025

Arising Out of PS. Case No.-854 Year-2023 Thana- CHAPRA TOWN District- Saran

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Amit Kumar @ Amit Gupta S/O Ashok Gupta @ Ashok Prasad Resident of
Village- Katahari Bag (Bajrang Colony) Police Station- Chapra Town, District
Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-09-2025 Heard Ms. Mili Kumari, learned counsel for the

petitioner as well as Mr. Ram Priya Sharan Singh, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
16.11.2023 in connection with Chapra Town P.S. Case No. 854
of 2023, F.I.R. dated 15.11.2023 for the offences punishable
under Sections 304(B)/34 of the Indian Penal Code.

3. Earlier the bail application of the petitioner was
rejected vide order dated 20.09.2024 and 11.07.2025 passed in
Cr. Misc. No. 36769 of 2024 and Cr. Misc. No. 47029 of 2025.

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



the husband of the deceased. He further submits that the police after investigation submitted charge sheet against the petitioner. The petitioner is in custody since 16.11.2023 and trial is not in progress.

5. Vide order dated 11.08.2025 a report was called with regard to stage of the trial. Report of the learned Trial Court dated 21.08.2025 reveals that charge has been framed against the petitioner on 14.05.2024 and out of six chargesheet witnesses, prosecution has not examined any witness.

6. Considering the aforesaid facts and circumstances and report of learned Trial Court and period of custody of the petitioner, 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 Sessions Judge-17th, Saran, Chapra in connection with Chapra Town P.S. Case No. 854 of 2023, 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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