

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61128 of 2025

Arising Out of PS. Case No.-319 Year-2024 Thana- TRIVENIGANJ District- Supaul

Rupesh Kumar @ Rupesh Yadav S/o Virendra Yadav @ Birendra Yadav R/o
Village - Kushaha Tola Bagewa, Panchayat Hariharpatti, Ward No. - 12, P.S -
Triveniganj, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Triveniganj P.S. Case No. 319 of 2024 registered on 18.08.2024 for the offences under Sections 103(1) and 3(5) of the BNS.

3. As per prosecution case, sister of the informant married with the petitioner 10 years ago and allegation against the petitioner and other co-accused persons is that they have been torturing the sister of the informant and finally under a criminal conspiracy hanged the sister of the informant to death.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has



ever taken place. There was no dispute between the petitioner and the deceased and from their marriage, two children were born, one daughter aged about 7 years and one son aged about 5 years and they have been living in the house of the petitioner. Petitioner never demanded any dowry and the sister of the informant died a natural death but the brother of the deceased lodged this false case against the petitioner and others for taking undue advantage. Petitioner voluntarily surrendered on 07.04.2025. Co-accused persons have been granted anticipatory bail by a Co-ordinate Bench vide order dated 09.07.2025 passed in Cr. Misc. No. 42093 of 2025. Even in the post-mortem report cause of death has not been disclosed and viscera has been preserved. Petitioner is having antecedent of one case. Charge-sheet has been submitted.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioner and further considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs.



10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Supaul/concerned court in connection with Triveniganj P.S. Case No. 319 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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