

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24319 of 2026

Arising Out of PS. Case No.-68 Year-2025 Thana- BISFI District- Madhubani

Sunil Kamti @ Sonu Kamti S/o Gangadhar Kamti @ Gajadhar Kamti
Resident of Village- Hiropatti, P.S.-Bisfi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 24887 of 2026

Arising Out of PS. Case No.-68 Year-2025 Thana- BISFI District- Madhubani

Kamal Thakur S/o- Late Varun Thakur Vill- Hiropatti, P.S-Bisfi, Distt-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 24319 of 2026)
For the Petitioner/s : Mr. Kumari Pallavi, Adv.
For the Opposite Party/s : Mr. Abhay Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 24887 of 2026)
For the Petitioner/s : Mr. Kumari Pallavi, Adv.
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 15-07-2026 Heard learned Advocate for the petitioners and
learned Additional Public Prosecutor for the State.

2. Since both the application is arising out of same
P.S.case and as such with the consent of the Advocates, the
applications are being heard and disposed off by this common
order.



3. The petitioners are apprehending their arrest in connection with Bisfi P.S. Case No. 68 of 2025, registered for the offences punishable under Sections 103(1), 3(5) of the BNS.

4. Allegedly in the afternoon of 19.04.2025, the FIR named accused persons including the petitioners came to the house of the informant and taken away her husband and when he did not return till evening, the search was made and the dead body of the informant's husband was found near a pond. The informant has asserted that it is the petitioners and others who have killed her husband.

5. Learned Advocate for the petitioners submitted that the husband of the informant went along with the petitioners and others on 19.04.2025, but surprisingly no information or any FIR has been instituted at the time, when she came to know about the recovery of dead body of her husband or at the time of preparation of the inquest report and when the post-mortem was conducted, but subsequently after six days, the present FIR came to be instituted against the petitioners and others by suspecting their hands. It is the fact the the informant is not an eye witness to the alleged occurrence and the entire case is based upon suspicion. Moreover, the post-mortem report clearly suggests that the deceased has not sustained any external injury,



and Doctor opined the smell of alcohol was coming from the body of deceased and since the caused of dead could not be ascertained, vicera report was sent to the forensic science laboratory. It is lastly contended that both the petitioners are carrying fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

6. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the petitioners were lastly seen with the deceased and as such they are responsible to disclose as to how, he died.

7. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of delay in lodging of the FIR, coupled with the fact that the informant is not an eye witness to the alleged occurrence, besides the post-mortem report which suggests no external injuries, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Benipatti, Madhubani in



connection with Bisfi P.S. Case No. 68 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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