

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80290 of 2025**

Arising Out of PS. Case No.-365 Year-2024 Thana- GOPALPUR District- Patna

Vikash Kumar Son of Ramji Prasad Resident of Village - Gobar Sahi Prasann
Nagar, P.S.- Sadar, District - Muzaffarpur At Present - Chhatrapati Shivaji
Prince Apartment, Bhogipur, P.S.- Gopalpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhirdyuti Kumar Verma, Advocate

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

For the Informant : Dr. Anand Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 16-01-2026 Heard Mr. Dhirdyuti Kumar Verma, learned counsel
for the petitioner, Dr. Anand Kumar, learned counsel for the
informant and Mr. Anuj Kumar Shrivastava, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
02.09.2024 in connection with Gopalpur P.S. Case No. 365 of
2024, F.I.R. dated 01.09.2024 for the offences punishable under
Section 80 of the BNS, 2023 but later on Section 103(1) was
also added.

3. Earlier the regular bail application of the petitioner
was rejected vide order dated 16.05.2025 passed in Cr. Misc.
No. 24229 of 2025.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is in custody since 02.09.2024 and the trial is not in progress and the petitioner has been made accused merely on the ground that he is husband of the deceased. In fact, the deceased had committed suicide herself and the petitioner has no role at all in the present occurrence. Apart from the aforesaid, the informant is not the eye witness of the alleged occurrence.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that all the evidence shows that the petitioner has committed the murder of the deceased and she died within one and a half years of marriage.

6. Vide order dated 22.12.2025 a report was called with regard to the stage of trial. Report of the learned trial court dated 02.01.2026 reveals that the charge has been framed against the petitioner on 25.09.2025. There are altogether 8 witnesses in the charge sheet where 5 witnesses are private and 3 are public witnesses. As per the report, none of the witnesses have been examined as yet.

7. Learned counsel for the petitioner as well as learned



counsel for the informant inform this Court that on 13.01.2026 one of the witness, namely, Suman Kumari who is sister of the deceased has been examined by the trial court.

8. Learned counsel for the petitioner submits that in view of the report of the learned trial court, the trial is not likely to be concluded in the near future and the petitioner is in custody since 02.09.2024.

9. Considering the aforesaid facts and circumstances, report of the learned trial court as well as the period of custody, 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-II, Patna in connection with Gopalpur P.S. Case No. 365 of 2024, 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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