Adalat Lawyers

Strategic Litigation. Principled Advocacy. Advancing Justice in Nepal.

LEGAL AND JUDICIAL

How to Get Bail in Nepal

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Introduction

Being arrested or accused of a criminal offence in Nepal does not automatically mean that an accused person must remain in jail until the case is finally decided. Nepalese criminal procedure provides several mechanisms through which an accused may seek release from detention, including **Thunchek (□□□□□), Dharaut (□□□□), Jamanat (□□□□), bail/bond, guarantee, bank guarantee and recognizance**.

The principal statutory framework governing these matters is the **National Criminal Procedure Code, 2074 (2017)**, particularly Chapter-7, which contains provisions relating to detention, bail and guarantee. The official Nepal Law Commission publishes the **Muluki Faujdari Karyabidhi Sanhita, 2074 (□□□□□ □□□□□□ □□□□□□□□ □□□□□, □□□□)**, which is the relevant criminal procedural legislation.

In practical criminal litigation, however, obtaining bail is not simply a matter of saying that the accused is innocent or offering money to the court. The court examines the **nature and gravity of the offence, available evidence, statutory punishment, possibility of absconding, previous conviction, personal circumstances, financial condition, family circumstances and other factors** prescribed by law. Adalat Lawyers in Nepal.

This article explains the bail process in Nepal in practical terms, including what people commonly call **Thunchek, Dharaut and Jamanat**, when detention can be ordered, when bail may be available, how the amount is determined, what happens if bail is not furnished, and what remedies are available against an adverse detention or bail order.

> **Important:** This article is general legal information and is not a substitute for advice on a particular criminal case. The applicable law, charge, evidence and procedural history must be examined before deciding whether to seek bail, guarantee, recognizance or another remedy.

1. What Is Thunchek (□□□□□) in Nepal?

Thunchek is a commonly used Nepali legal expression associated with the court's decision regarding whether an accused should be kept in detention or released subject to bail, bond, guarantee or other conditions while the criminal case proceeds.

In everyday language, people may ask:

“Thunchek □□□□ □□□□□ ?”

“□□□□□□□□ □□□□ □□□□□ □□ □□□□ □□□□□ ?”

“□□□□□□□ □□□□□ □□□□□□ ?”

The answer depends primarily on the offence charged and the circumstances identified by the court.

Chapter-7 of the National Criminal Procedure Code establishes the statutory framework. Section 67 deals with circumstances in which the court may remand an accused in detention. Section 68 deals with bail/bond, guarantee or bank guarantee in cases outside Section 67. Section 69 provides for trial on recognizance in appropriate cases. Sections 70–80 deal with subsequent changes, appeal, forfeiture, release and related procedures.

Therefore, **Thunchek is not simply a financial calculation**. It is a judicial determination concerning the accused's liberty during the criminal proceedings.

2. What Is Dharaut (□□□□)?

Dharaut (□□□□) generally refers to security furnished to obtain release from detention pending the proceedings. Depending upon the circumstances and terminology used in a particular proceeding, this may involve **cash bail/bond, property security, guarantee or bank guarantee**.

A person should therefore distinguish between:

- **Thuna (□□□□)** — detention/custody;
- **Dharaut (□□□□)** — security furnished for release;
- **Jamanat (□□□□□)** — guarantee/security arrangement for ensuring appearance;
- **Bail/Bond** — a legally enforceable undertaking/security for compliance with the court's conditions;
- **Bank Guarantee** — a bank-backed security where permitted by the court; and
- **Recognizance** — release based on an undertaking to appear before the court on appointed dates.

The exact form of security ordered by the court matters. A person should not assume that paying a particular amount automatically guarantees release.

3. What Is Jamanat (□□□□)?

Jamanat is commonly used in Nepal to describe a guarantee or security arrangement under which an accused is released subject to the obligation to appear before the court and comply with the proceedings.

Under Section 74 of the Criminal Procedure Code, when a guarantee is furnished, the court fixes the amount and takes security of property equal to that amount. The Code also permits another person to furnish property as guarantee for the accused, subject to the statutory requirements.

This means that, depending upon the order of the court, **the accused's property or another person's property may be placed at risk if the accused fails to appear as required**.

Jamanat is therefore not merely an informal promise. It can create significant legal and financial consequences.

4. When Can a Nepalese Court Keep an Accused in Detention?

Section 67 is the starting point for understanding detention during criminal proceedings.

Under the provision supplied above, the court may remand an accused in detention where, based on the evidence available at the relevant stage, the accused appears guilty or there are reasonable grounds to believe that the accused is guilty, particularly in the categories specified by Section 67.

These include:

A. Offences punishable by life imprisonment

Where the alleged offence carries a punishment of **imprisonment for life**, Section 67 may permit detention for trial where the statutory conditions are satisfied.

B. Certain Schedule-1 or Schedule-2 offences punishable by more than three years

Section 67 also addresses specified offences under Schedule-1 or Schedule-2 carrying imprisonment exceeding three years.

This is important because the **maximum statutory punishment and classification of the offence can directly affect the Thunchek analysis**.

C. Attempt, abetment, conspiracy or being an accomplice

The detention provision can also apply to attempts, abetment, criminal conspiracy or accomplice liability connected with the offences covered by the relevant clauses.

Consequently, the court does not necessarily consider only the principal completed offence. The exact charge alleged against each accused must be examined.

5. Can the Court Detain an Accused in Other Circumstances?

Yes.

Section 67(2), as provided in the question, identifies additional circumstances in which detention may be ordered.

These include situations where:

1. The accused **pleads guilty** before the court;
2. The accused faces an offence punishable by imprisonment of one year or more, has **no permanent abode in Nepal**, and there is a reasonable possibility of absconding;
3. The accused failed to appear within the prescribed period following an arrest warrant and, after being arrested and produced before the court, cannot provide a satisfactory explanation for the failure to appear; or
4. The accused was convicted and sentenced to imprisonment within the immediately preceding three years.

These provisions demonstrate why **attendance history and criminal history can be extremely important in a bail hearing**.

A person who repeatedly fails to appear before court can face a substantially different bail position from a person who has consistently complied with court orders.

6. Does Every Criminal Accused Have to Stay in Jail?

No.

This is one of the most important points about Nepalese criminal procedure.

Where the case does not fall within the detention framework of Section 67, Section 68 becomes relevant. Under the provision quoted in the question, the court may require **bail/bond, guarantee or bank guarantee** where there is a reasonable ground for proving the charge against the accused.

If the required security is furnished, the accused may be released according to the court's order.

If the accused fails to furnish the required security, Section 68(2) provides for detention.

Thus, there can be a practical difference between:

“The court has ordered detention”

and

“The court has fixed Dharaut/Jamanat, but the accused has not been able to furnish it.”

The legal strategy in the two situations may be different.

7. What Is the Difference Between Detention and Bail?

The distinction can be summarized simply:

Detention — Thuna

The accused remains in custody while the case proceeds.

Bail/Dharaut

The accused is released after complying with the financial or security requirement imposed by the court.

Guarantee/Jamanat

Security is furnished to ensure the accused's appearance and compliance.

Recognizance

In appropriate cases, the accused may be released on an undertaking to appear on the dates fixed by the court without the same type of financial security contemplated by Sections 68 and 74.

Section 69 specifically provides for proceedings on recognizance in cases outside Sections 67 and 68.

8. What Does the Court Consider When Fixing Dharaut or Bail Amount?

Section 72 is particularly important.

The court must fix the amount of bail/bond, guarantee or bank guarantee **reasonably**, having regard to the circumstances prescribed by law.

The relevant considerations include:

1. Nature and gravity of the offence

A serious offence will generally attract greater judicial scrutiny than a minor offence.

2. Financial status and family condition

The court is required to consider the accused's financial and family circumstances.

This is significant because bail should not become an arbitrary or impossible financial burden unrelated to the statutory considerations.

3. Age and physical condition

The personal condition of the accused can be relevant.

4. Previous conviction

The court can consider whether the accused has previously been convicted and sentenced.

5. Multiple offences

The court may consider whether several offences were allegedly committed during the same occasion.

6. Potential sentence and compensation

The sentence that may be imposed and potential compensation obligations can also be relevant.

7. Consequences of the alleged offence

The consequences resulting from the alleged offence may influence the court's assessment.

8. Guilty plea

Whether the accused has pleaded guilty can also be relevant.

The statute therefore provides a structured framework for determining the amount. **Dharaut should not be understood as a fixed tariff applicable to every criminal case.**

9. Can the Bail Amount Be Reduced?

Yes, there is a statutory mechanism to challenge an amount that is considered unreasonable.

Section 72(2), as quoted above, permits a party to petition the **appeal-hearing court** where the bail/bond, guarantee or bank guarantee demanded is considered excessive or insufficiently reasonable.

The appellate court may hear the matter and order alteration or modification of the amount.

This is particularly important where an accused argues that:

- the amount is disproportionate;
- the accused's financial circumstances were not adequately considered;
- the amount is excessive in relation to the offence;
- the accused has strong ties to Nepal;
- there is no meaningful flight risk;
- the accused has complied with previous court orders; or
- relevant personal circumstances were overlooked.

The appropriate legal remedy depends on the exact order and procedural stage.

10. What Happens If the Accused Cannot Pay the Dharaut?

This is a serious practical issue.

Section 68(2) provides that an accused who fails to furnish the bail/bond, guarantee or bank guarantee required under Section 68 may be remanded in detention.

Therefore:

Court fixes Dharaut → accused cannot furnish it → accused may remain in detention.

However, inability to furnish the amount does not necessarily mean that the case is legally over or that no further remedy exists.

Depending on the circumstances, counsel may consider an appropriate petition before the appellate court concerning the amount or the detention order.

Section 73 provides a mechanism for a person dissatisfied with a detention, bail/bond, guarantee or bank guarantee order to petition the court hearing the appeal, generally up to one level, subject to the statutory exception concerning the illegality of detention in serious offences.

11. Can Property Be Used as Jamanat?

Yes, subject to the court's order and statutory requirements.

Section 74 provides the framework for guarantees involving property.

Where a person furnishes property as security, the relevant deed is executed and the property is placed at risk if the accused fails to appear as required.

Importantly, **another person may also furnish property as guarantee for the accused** .

This can be practically significant where the accused does not personally own sufficient property.

However, anyone considering providing property as Jamanat for another accused should understand the consequences before signing the relevant deed.

The guarantee is not merely ceremonial. If the accused fails to comply with the appearance requirement, the property can become subject to recovery under the statutory procedure.

12. What Is a Bank Guarantee?

A **bank guarantee** is another form of security recognized by the statutory framework.

Section 68 provides for bail/bond, guarantee or bank guarantee in appropriate circumstances, and states that the bank guarantee must be **unconditional and renewable** at the times specified by the court.

The practical availability of a bank guarantee depends on the court's order and the bank's requirements.

An accused should therefore obtain legal advice before arranging a bank guarantee, because the wording, amount, validity and renewal requirements can matter.

13. Can a Woman, Elderly Person, Child or Sick Person Get Special Consideration?

Section 67(3) contains an important special provision.

Subject to the limitations specified in that subsection, the court may release on bail/bond or guarantee an accused who is:

- a **child**;
- infirm due to physical or mental disease;
- a woman whose pregnancy is more than seven months; or
- a person above **75 years of age**.

However, the subsection contains an important qualification for offences punishable by imprisonment exceeding ten years.

Therefore, these circumstances should be raised specifically before the court and supported by appropriate evidence where necessary.

A lawyer should not simply state that the accused is elderly, sick or pregnant. The relevant statutory conditions and supporting documents should be properly presented.

14. Can Bail Be Changed After It Has Already Been Granted?

Yes.

Section 70 provides that if the court subsequently considers the existing bail/bond, guarantee or bank guarantee insufficient, it may demand additional security.

If the accused fails to furnish the additional security, the court may remand the accused in detention.

Conversely, Section 71 recognizes that the court can revisit detention or bail during the examination of evidence based on the circumstances of the case.

This means that **a Thunchek order is not necessarily frozen forever**.

The circumstances of the case can change.

15. Can a Person in Detention Later Be Released?

Yes, potentially.

Section 71(2) provides an important mechanism: if the court has reasonable grounds to conclude that an accused who was remanded in detention is not guilty of the offence, the court may, at any stage of the proceedings, consider the matter and order release from detention.

This reinforces an important principle:

A detention order during trial is not the same thing as a final conviction.

The court may reassess the circumstances as evidence develops.

16. What Happens If the Case Takes Too Long?

Section 77 addresses prolonged detention.

According to the provision supplied in the question, where a case cannot be adjudicated within **one year from the first date fixed for examination of evidence** and the accused continues to be detained, the case may proceed with the accused released on bail/bond or guarantee.

However, there are important exceptions.

The provision does not apply to a person detained under Section 67 for an offence punishable by **life imprisonment or imprisonment for ten years or more**.

The court may also continue detention in appropriate circumstances involving a recidivist.

Therefore, Section 77 can be a significant issue in long-running criminal cases, but it must be examined against the exact offence and detention provision involved.

17. Is There a Maximum Period for Detention?

Section 78 provides an important limitation.

According to the provision quoted above, notwithstanding other provisions of the Chapter, an accused should not be held in detention for a period exceeding the **maximum term of imprisonment that could be imposed if the charge were proved**.

This provision can become important in cases involving lengthy proceedings.

A defence lawyer should therefore maintain a careful record of:

- date of arrest;
- date of remand;
- detention orders;
- dates of evidence;
- adjournments;
- applicable maximum sentence; and
- subsequent court orders.

These details can become important when arguing for release.

18. What Happens If the Accused Does Not Appear After Getting Bail?

This is one of the most serious consequences of obtaining bail.

Section 74 requires the relevant deed to contain conditions concerning appearance.

Section 75 provides that if a person who furnished bail/bond fails to appear before the court, the bail/bond may be **forfeited**.

Where immovable property has been furnished, property corresponding to the amount payable may be sold or recovered according to the statutory mechanism, with the remaining property returned as provided by law.

Similarly, where another person furnished property as guarantee for the accused, that guarantor may face recovery consequences if the statutory conditions are triggered.

Therefore, a person who obtains **Dharaut/Jamanat must take every court date seriously**.

19. What Happens When the Accused Is Acquitted?

Section 76 provides for the return or release of bail/bond or guarantee in the circumstances specified by the statute.

Where the accused is ultimately acquitted, the security taken during the proceedings is generally to be returned or released subject to the Act and any applicable exception.

This is another reason why the deed, receipt, court order and property documents should be carefully preserved.

20. What Should a Lawyer Prepare for a Bail Hearing?

A strong bail application should not merely state:

“The accused is innocent and should be released.”

The application should address the statutory factors and the facts of the case.

Depending on the circumstances, counsel may prepare:

A. Personal identification and residence documents

Evidence of a permanent residence and stable connection with Nepal can be relevant, particularly where flight risk is an issue.

B. Family documents

Family responsibilities and circumstances can assist the court in assessing the accused's personal situation.

C. Employment or business documents

Evidence demonstrating established employment, business activity or other stable ties may be relevant.

D. Medical documents

Where illness, disability or another medical circumstance is relied upon, appropriate medical evidence should be provided.

E. Age-related documents

For statutory age-based considerations, reliable evidence of age should be produced.

F. Property documents

Where property is proposed as guarantee, ownership and valuation documents must be carefully prepared.

G. Previous court compliance

If the accused has previously appeared regularly before the court, this should be brought to the court's attention.

H. Defence concerning the evidence

The defence should address why the evidence does not justify continued detention or why the statutory conditions for detention are not satisfied.

21. How Adalat Lawyers Approaches a Thunchek/Bail Matter

At **Adalat Lawyers**, a bail matter should be approached as a litigation issue rather than merely a request to “pay Dharaut.”

The first step is to examine the **charge and statutory punishment**.

The second step is to identify whether the case falls within **Section 67**.

The third step is to determine whether the accused can seek release under **Section 68 or Section 69**.

The fourth step is to assess the factors under **Section 72**, including the accused's financial and family circumstances, age, health, previous conviction, possible sentence and other relevant circumstances.

The fifth step is to prepare the appropriate **bail/bond, guarantee, bank guarantee or recognizance strategy**.

If the court orders detention or fixes an excessive amount, the legal team can examine whether an appropriate **petition to the appeal-hearing court under Section 73** should be pursued.

This approach is particularly important because the best argument is often not simply that the accused can furnish money. The stronger question is:

Why does the law and the evidence justify release rather than detention?

22. What Are the Most Important Bail Arguments in Nepal?

The appropriate argument depends on the offence and evidence, but common considerations include:

No statutory basis for detention

If the case does not properly fall within Section 67, counsel may argue that detention is not justified under the statutory framework.

Weak or insufficient evidence

The available evidence must be examined carefully. Contradictions, lack of corroboration, unreliable documents or absence of a clear connection between the accused and the alleged offence can become relevant.

Low flight risk

Permanent residence, family ties, employment, business, citizenship and previous court attendance may be relevant.

No previous criminal history

Where accurate, the absence of previous conviction may support a request for less restrictive conditions.

Proportionality of Dharaut

Where the amount fixed is excessive relative to the circumstances, Section 72 can become important.

Health, age or family circumstances

Where supported by evidence, these can be relevant under the statutory framework.

Delay in proceedings

Where the statutory conditions under Section 77 are satisfied, prolonged detention may support release.

Change in circumstances

Section 71 allows the court to reconsider detention or security arrangements as circumstances develop.

23. Can Bail Be Requested Even After Detention Has Already Been Ordered?

An accused should not assume that an initial detention order permanently prevents a later bail application.

Section 71 specifically recognizes the court's ability to reconsider detention and bail during the proceedings.

Accordingly, a subsequent application may be based on:

- new evidence;
- changed circumstances;
- deterioration in health;
- excessive delay;
- change in the evidentiary position;

- completion of important investigative or evidentiary steps;
- proportionality concerns;
- new grounds relating to the statutory requirements; or
- other legally relevant developments.

The exact procedural route must be determined from the current status of the case.

24. What Is the Difference Between Bail and Final Acquittal?

This distinction is fundamental.

Bail does not mean the accused has been acquitted.

A person released on Dharaut, Jamanat, guarantee or recognizance remains an accused while the criminal case continues.

The accused must:

- attend court when required;
- comply with the conditions imposed;
- avoid conduct that may violate the court's order; and
- remain available for the proceedings.

Acquittal is a final adjudication of the criminal charge, whereas bail is a procedural arrangement concerning the accused's liberty while the case is pending.

25. What If the Court Fixes an Excessive Dharaut?

The appropriate response should be strategic rather than emotional.

First, obtain a copy of the court's order and identify the reasons given.

Second, examine how the court applied the factors under Section 72.

Third, identify evidence supporting the accused's financial and family circumstances.

Fourth, assess whether the amount is disproportionate to the circumstances.

Fifth, consider the remedy under Section 72(2) and/or Section 73, depending on the nature of the order and procedural posture.

A carefully prepared challenge should explain **why the amount is unreasonable**, rather than merely asserting that the accused cannot afford it.

26. Can Another Person Give Jamanat for the Accused?

Yes, subject to the statutory requirements.

Section 74 expressly contemplates circumstances where another person furnishes property as a guarantee for an accused.

The guarantor must understand that this can create real financial exposure.

If the accused does not appear as required and the statutory conditions for recovery are met, the amount may be recovered from the property furnished as guarantee or other property belonging to the guarantor, as provided by law.

For this reason, **a guarantor should obtain independent clarity about the legal consequences before signing the deed**.

27. Practical Steps to Get Bail in Nepal

A person facing a criminal case should generally proceed as follows:

Step 1. Identify the exact offence.

Obtain the charge sheet, FIR/complaint and relevant court documents.

Step 2. Check the punishment.

Determine the maximum imprisonment prescribed by the applicable substantive criminal law.

Step 3. Determine whether Section 67 applies.

This is central to the Thunchek analysis.

Step 4. Prepare the evidence-based bail position.

Do not rely solely on a general assertion of innocence.

Step 5. Address flight risk.

Show residence, family, employment, business and previous compliance where relevant.

Step 6. Address Section 72 factors.

Present financial, family, age, health and other relevant circumstances.

Step 7. Prepare security.

If the court orders Dharaut, Jamanat, guarantee or bank guarantee, ensure that the proposed security satisfies the court's requirements.

Step 8. Execute the necessary deed.

The court's prescribed documentation and conditions must be followed.

Step 9. Obtain the release order.

After compliance with the order, the necessary detention-release process must be completed.

Step 10. Never miss a court date.

Failure to appear can lead to forfeiture and further legal consequences.

28. Documents Commonly Relevant to a Bail Application

The precise documents depend on the case, but the following may be useful:

- Citizenship certificate;
- proof of permanent residence;

- family relationship documents;
- marriage or dependent-family documents where relevant;
- employment or business evidence;
- medical records where health is relevant;
- age-related documents;
- property ownership documents;
- land ownership/registration documents where property guarantee is proposed;
- valuation-related documents where required;
- bank documents where bank guarantee is proposed;
- evidence of previous compliance with court orders; and
- copies of relevant FIR, charge sheet, detention order and other court documents.

The lawyer should determine which documents are actually necessary rather than filing irrelevant material.

29. Why Immediate Legal Advice Matters

Criminal bail decisions can have consequences that extend far beyond the first hearing.

A person who makes an inappropriate admission, misunderstands the charge, fails to challenge an incorrect detention classification or agrees to an unsuitable security arrangement may create unnecessary difficulties.

Similarly, a family member who offers property as Jamanat without understanding the guarantee deed can expose valuable property to potential recovery.

Therefore, when a person is arrested or a criminal case is filed, it is generally advisable to have a criminal litigation lawyer review:

1. the alleged offence;
2. the statutory punishment;
3. the evidence;
4. the detention basis;
5. the available bail mechanism;

6. the appropriate Dharaut/Jamanat amount;
7. the proposed security;
8. the possibility of appeal or petition; and
9. the future court-appearance obligations.

Frequently Asked Questions About Bail in Nepal

1: What is Thunchek in Nepal?

Thunchek (□□□□□) refers commonly to the court's determination concerning whether an accused should remain in detention or be released subject to bail, Dharaut, Jamanat, guarantee or another legally recognized arrangement. The statutory framework is primarily contained in Chapter-7 of the National Criminal Procedure Code, 2074.

2: What is Dharaut?

Dharaut (□□□) is security furnished for release during the criminal proceedings. Depending on the court's order, it may involve bail/bond, property security, guarantee or bank guarantee. The exact form and amount depend on the applicable statutory provisions and the court's order.

3: What is Jamanat?

Jamanat (□□□□) generally refers to a guarantee or security arrangement intended to ensure the accused's appearance and compliance with court proceedings. Under Section 74, property may be furnished as guarantee, including property furnished by another person for the accused.

4: Is bail available in every criminal case?

No. Section 67 identifies circumstances in which detention may be ordered, particularly for specified serious offences and other circumstances. Where Section 67 does not apply, Section 68 may permit the court to require bail/bond, guarantee or bank guarantee. Section 69 provides for recognizance in cases outside Sections 67 and 68.

5: Can the court send someone to jail even if the person is willing to pay bail?

Yes, potentially. The court first determines the applicable statutory framework. If the case falls within Section 67 and the statutory requirements for detention are satisfied, simply offering money does not automatically create a right to release.

6: How much Dharaut will the court ask for?

There is **no single fixed amount applicable to every case**. Section 72 requires the amount to be fixed reasonably by considering factors including the nature and gravity of the offence, financial and family circumstances, age and physical condition, previous conviction, possible sentence, compensation, consequences of the offence and other listed circumstances.

7: Can the bail amount be challenged if it is too high?

Yes. Section 72(2) provides a mechanism for challenging an amount considered excessive or insufficiently reasonable before the appeal-hearing court. Section 73 separately provides for a petition against orders concerning detention, bail/bond, guarantee or bank guarantee, subject to the statutory rules and exceptions.

8: Can property belonging to a family member be used for Jamanat?

Potentially, yes. Section 74 contemplates another person furnishing property as guarantee for an accused. However, the person providing the property must understand that the property can be exposed to recovery consequences if the accused fails to appear as required and the statutory conditions for forfeiture/recovery are met.

9: Can a person who has been detained later get bail?

Potentially, yes. Section 71 allows the court to reconsider detention and bail at different stages of the proceedings based on the circumstances. Changes in evidence, circumstances, delay, health or other legally relevant developments may support a renewed request, depending on the case.

10: What should I do if I or my family member has been arrested in Nepal?

The most important step is to obtain **immediate case-specific criminal legal advice**. The lawyer should review the exact charge, applicable punishment, FIR/complaint, evidence, detention order and procedural stage, and then determine whether the appropriate strategy is Thunchek detention opposition, Dharaut, Jamanat, bank guarantee, recognizance, a request to modify the amount, or a petition before the appeal-hearing court.

Conclusion: How to Get Bail in Nepal

The Nepalese criminal procedure system does not treat every accused person in the same way. The availability of **Thunchek release, Dharaut, Jamanat, bail/bond, guarantee, bank guarantee or recognizance** depends on the offence, statutory punishment, evidence, procedural history and personal circumstances of the accused.

Sections **67 and 68** are particularly important because they help determine whether detention or security-based release is appropriate. **Section 69** addresses recognizance. **Sections 70 and 71** allow the court to revisit the position during proceedings. **Section 72** provides the statutory framework for determining the amount of security. **Section 73** provides a mechanism for challenging detention or security orders. **Sections 74 and 75** establish the consequences and documentation surrounding security and forfeiture. **Sections 76–78** address release of security, prolonged detention and the maximum permissible period of detention, while **Sections 79 and 80** deal with formal orders and detention warrants.

The most important practical point is that **getting bail is not simply about arranging money**. A successful bail strategy requires careful analysis of the charge, evidence, statutory punishment, detention provisions, flight risk, personal circumstances, financial position and procedural history.

For an accused person or family seeking assistance with **Thunchek, Dharaut, Jamanat, bail, guarantee, bank guarantee, detention challenge or criminal litigation in Nepal**, professional representation can be important from the earliest stage of the case.

Adalat Lawyers provides criminal litigation and court representation in Nepal. Each case should be assessed individually because the correct bail strategy can differ substantially depending on the offence and procedural circumstances.

Official legal reference: The Nepal Law Commission provides the official publication page for the *Muluki Faujdari Karyabidhi Sanhita, 2074* (National Criminal Procedure Code, 2074).

Legal disclaimer: This article is intended for general informational and educational purposes. It does not constitute a legal opinion or create an advocate-client relationship. Laws, amendments, judicial interpretations and procedural practices may change. For an active criminal case, the relevant statute and current court order should be reviewed by a qualified Nepalese criminal lawyer before taking action.