

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4826 of 2024

Arising Out of PS. Case No.-455 Year-2023 Thana- LAHERIMUHALLA District- Nalanda

Uday Kumar @ Uday Yadav S/o Lorhan Yadav @ Lodan Yadav R/o vill-
Gongaripar, P.S-Manpur, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-02-2024

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Laheri P.S. Case No. 455 of 2023 for the offence under sections 414, 419, 420, 467, 468, 471, 34 of the I.P.C. lodged on 455 by the informant, Kajal Kumari.

3. As per the prosecution story, it has been alleged that during patrolling, the police tried to intercept a motorcycle but the accuseds started fleeing away. The police chased and arrested one person while other managed to escape. It was Nitish Kumar who failed to show any paper. Accordingly, the FIR/arrest. He gave the name of the person who escaped as Uday Kumar (the petitioner herein).

4. Learned counsel for the petitioner submits that neither he has been arrested from the spot nor anything



recovered from his conscious possession and only because the person apprehended gave his name, the implication.

5. Learned APP opposes the prayer.

6. Considering the submissions put forward by the parties as also the fact that his name has come in the confessional statement and he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Laheri P.S. Case No. 455 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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