

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25328 of 2025

Arising Out of PS. Case No.-148 Year-2024 Thana- INDUSTRIAL District- Bhagalpur

Mukesh Kumar Yadav @ Mukesh Kumar Son of Karu Yadav Resident of
Village - Pachmahla, P.O. - Navdiha, P.S. - Khigarsarai, District - Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mrs. Nivedita Nirvikar, Sr. Advocate
	Mrs. Shashi Priya, Advocate
	Mr. Amar Shakti, Advocate
	Mrs. Asmita Bharti, Advocate
For the Opposite Party/s :	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-07-2025 Heard Mrs. Nivedita Nirvikar, learned senior
counsel for the petitioner and Mr. Anil Kumar, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Industrial Area P.S. Case No. 148 of 2024, F.I.R. dated 31.08.2024 for the offences punishable under Section 108 of Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, the informant suspects that this petitioner along with other accused persons who works on toll plaza have pressurised the father of the informant to pay Rs. 75,000/- due to which his father was found dead, hanging by a rope in the neck on the road railing.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the FIR that the informant is not the eye witness of the alleged occurrence and he has filed the present FIR on the basis of the information furnish by the deceased over a telephone. She further submits that nothing has come during investigation which suggest the involvement of the petitioner in the present occurrence except suspicion.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is an employee of the toll plaza and he has participated in the present crime in question and fairly submits that except suspicion, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and no cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the



order, 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 Chief Judicial Magistrate , 1st Bhagalpur in connection with Industrial Area P.S. Case No. 148 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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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