

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31618 of 2025

Arising Out of PS. Case No.-1017 Year-2024 Thana- BIHTA District- Patna

Udesh Rai @ Udesh Kumar, S/o Mantri Ji, R/o Village- Pali, P.S.- Bihta in the District of Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sunil Kumar, Advocate
For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Bihta P.S. Case No.1017 of 2024, dated.01.11.2024 registered for the offences punishable under Sections 308(3), 132, 352, 3(5) of the B.N.S., 2023.

3. The police got information that 5-6 miscreants are extorting money from the drivers of sand laden trucks and tractors. Subsequently, the police reached the place of occurrence and arrested one Amarjit Kumar and rest of the persons were successful in felling away. The petitioner was one of the persons whose name has transpired in the confessional statement of Amarjit Kumar.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, he has nothing to do with the alleged offence. The only material against him is the confessional statement of the co-accused, which has no evidentiary value.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Bihta P.S. Case No.1017 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on



the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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