

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31999 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- AIRPORT District- Patna

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Utshav Kumar @ Utshav Raj S/O Parmanand Singh R/O -Raja Bazar,Pillar
No. 35, B.M.P. Road Khajpura Near Good Will Watch, P.S.- Hawaii Adda,
Dist.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Hawaii Adda P.S. Case No. 21 of 2025 registered for the offences under Sections 126(2), 115(2), 109, 303(2) and 3(5) of B.N.S.

3. As per prosecution case, while the son of the informant had been returning home after dropping his sister at her coaching, the petitioner and other co-accused persons who were armed with lathi, sword, hockey stick and pistol surrounded the son of the informant and brutally assaulted him. The son of the informant received a number of injuries.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. No occurrence as alleged has ever taken place. The petitioner is student of B.C.A. 3rd Semester and his examination is on going. The petitioner has been falsely implicated in this case as is apparent from the FIR. One of the co-accused has been mentioned as sister of this petitioner but the petitioner is not having any sister. Further, there is no injury report available on record which falsifies the allegation against the petitioner and other co-accused persons. In the given facts and circumstances, no offence under Sections 109 and 303(2) B.N.S. is made out against the petitioner who is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the



satisfaction of learned A.C.J.M.-IV, Patna/concerned court in connection with Hawai Adda P.S. Case No. 21 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S. and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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