

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42930 of 2025

Arising Out of PS. Case No.-89 Year-2021 Thana- OBRA District- Aurangabad

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Mukesh Kumar son of somar Yadav Village- Kheban Bigha PS -Tekari
District -Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State Of Bihar Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 25-07-2025 Heard learned counsel for the petitioner, and the

learned APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Section 379, 384/34 of the
Indian Penal Code.

3. The FIR has been lodged against five persons,
who are said to have been involved in demanding extortion from
the informant, who is an owner of brick kilns.

4. Learned counsel for the petitioner submits at the
outset, that it would be apparent from the FIR itself, that the
petitioner is not named in the said FIR and the names of five
persons have specifically taken against whom, there is an
allegation of demand of extortion. The name of the present
petitioner has transpired in the confessional statement of Subalal



Kumar given in another case being Goh P.S Case no. 107 of 2021 and his own statement also taken in the same case . It is only on the basis of such confessional statement made before the police having no evidentiary value, that the petitioner has been made accused in this case also. It is next submitted that the petitioner is neither concerned with any extortion demand nor any of the mobile numbers mentioned in the FIR belongs to the petitioner.

6. Learned APP for the State opposes the anticipatory bail on the ground that petitioner has three criminal antecedents but he is on bail in all the three cases.

7. Taking into consideration all the facts and circumstances, let the above named, petitioner in the event of his arrest/ surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Obra P.S. Case No. 89 of 2021, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition;-

(i) One of the bailors would be the family member or close relative.



(ii) The trial court shall verify the criminal antecedent of the petitioner before releasing him on bail, which shall be done expeditiously without causing any delay.

(iii) The petitioner would make himself available before the investigation officer of the present case at interval or every 15 days till the investigation is concluded against them and if the petitioner does not appear on any date without any substantial and satisfactory reason, the learned court below would be at liberty to cancel his bail bonds.

(Soni Shrivastava, J)

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