

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46357 of 2025

Arising Out of PS. Case No.-607 Year-2024 Thana- JHAJHA District- Jamui

Udesh Kumar S/O Arjun Yadav R/o Village - Baijla, P.S - Jhajha, District -
Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kr. Mishra, Sr. Adv.

Mr.Pramod Kumar, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 11-09-2025 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Jhajha P.S. Case No. 607 of 2024 registered on 31.12.2024 for the offences under Sections 137(1) and 140(1) of the BNS.

3. As per prosecution case, husband of the informant went out of his house with the petitioner and other co-accused but did not return. The informant named a number of persons for being involved in missing of her husband. Subsequently, the dead body of the husband of the informant was found in Nakti Dam.

4. Learned senior counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no material against the



petitioner to connect him with the offence as alleged. Only because the deceased accompanied the petitioner and other co-accused persons his name came up in this case. Petitioner has no enmity with the deceased. Accompanying a person who subsequently went missing and died, does not make the petitioner guilty of offence. Except for suspicion there is nothing against the petitioner. Even during investigation no material has come up against the petitioner. Rather it has been stated by the witnesses that deceased was habitual drinker. Therefore, there is possibility that under influence of liquor, he got drowned. Petitioner is in custody since 20.03.2025 and charge-sheet has been submitted. Petitioner is having clean antecedent though in the rejection order it has been wrongly mentioned that petitioner was having criminal antecedent.

5. Learned A.P.P. 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 vague and doubtful nature of allegation against the petitioner and also considering the lack of substantive material to connect with the offence as alleged and also considering the period of custody of the petitioner along with his clean antecedent and



submission of charge-sheet, the petitioner above named is directed to 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 Chief Judicial Magistrate, Jamui/concerned court in connection with Jhajha P.S. Case No. 607 of 2024, subject to the conditions mentioned in Section 480(3) 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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