

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52481 of 2025

Arising Out of PS. Case No.-122 Year-2025 Thana- NADI P.S. District- Patna

Umashankar Kumar S/o Munarik Rai @ Munarik Ray Resident of village-
Kripaltola, PS- Nadi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Nadi
P.S. Case No. 122 of 2025 instituted for the offence under
Sections 303(2) of the Bharatiya Nyaya Sanhita, 2023.

3. On 03.05.2025 at about 00:30 hrs., informant left
his belongings on a riverbank while bathing after a cremation.
On return, he found his mobile phone, Rs. 20,000/-, and his
brother-in-law's purse with documents were missing.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 03-05-2025. Petitioner
bears nine (9) criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has surfaced in this case during investigation. Petitioner has become the victim of the circumstances. There is no compliance of Section 103 of the BNSS, 2023. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to impugned order, it is submitted that recovery is made from the conscious possession of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nadi P.S. Case No. 122 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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