

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55872 of 2025

Arising Out of PS. Case No.-132 Year-2025 Thana- SITAMARHI District- Sitamarhi

Umakant Kumar Son of Raj Kishore Rai Resident of Village- Shivanagar, P.S.-
Sahiyara, Distt.- Sitamarhi Petitioner/s

Versus

The State of Bihar Patna Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-09-2025 Heard Mr. Ashok Kumar Jha, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending arrest in connection with Sitmarhi P.S. Case No. 132 of 2025 instituted under Sections 126, 115(2), 351(2), 352, 308(2), 3(5) of the Bhartiya Nayay Sanhita, 2023 lodged on 12.02.2025 by the informant, Dr. Manjay Kumar.

3. As per the prosecution story, the informant alleged that he being a Doctor while seated inside the clinic, 20 students of Ambedkar Kalyan Hostel reached, demanded Rs. 5000/- from the staff and upon refusal assaulted the staff. With the help of CCTV footage, they were identified. This followed the FIR.

4. Learned counsel for the petitioner submits that he had gone only to get some medicine for the stomach ache, unfortunately, the other students also followed, an altercation with the staff led to the alleged FIR. He is meritorious student



having no criminal antecedent and if granted relief undertakes not to indulge in any such activity again.

5. Learned APP opposes the prayer submitting that they stormed into the clinic of the Doctor and threatened of dire consequences, if the payment is not made.

6. Considering the submissions of the parties, though the allegation is grave, and at one point of time, this Court wanted dismissal of the petition, on the second thought, thinking that the petitioner is a student having no criminal antecedent, sending him jail will serve no fruitful purposes particular when an undertaking has been given that he shall remain cautious in future, not indulge in such activities, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. This Court can only record its anguish on the fact that the parents sent them to study, both the parents as also the country have expectation from them, they instead put their energy in such uncalled for activities, if the allegation is to be accepted. The petitioner as such should focus on study and contribute his energy in the nation building.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a



period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Sitmarhi P.S. Case No. 132 of 2025 to the satisfaction of learned CJM, Sitamarhi subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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