

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83588 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- SAHEBPUR KAMAL District-
Begusarai

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Umesh Jha S/O Late Kapileshwar Jha R/O Village - Sanha, P.S- S. Kamal,
Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sabal Kumar jha, Adv.
Mr. Raj Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Narendra Kumar Singh, Adv.
For the Informant : Mr. Anshul, Sr. Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 06-01-2026 Heard Mr. Sbal Kumar Jha, learned Advocate

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State. The informant is represented

through Mr. Anshul, learned Senior Advocate.

2. The petitioner apprehends his arrest in connection
with Sahebpur Kamal P.S. Case No. 171 of 2025, registered for
the offences punishable under Sections 281, 125(a), 125(b) and
109(1) of the Bharatiya Nyaya Sanhita, 2025.

3. On the fateful day while the informant was
returning to his home on his motorcycle, in the meanwhile, co-
accused Anil Kumar Jha @ Babu Saheb and this petitioner who



had been coming on a motorcycle started abusing and on the exhortation made by the petitioner, co-accused Anil Kumar Jha @ Babu Saheb dashed the motorcycle of the informant, due to which the petitioner sustained serious injuries in the fingers of his leg. The informant also alleged that the petitioner works as a broker of Indira Awaas Scheme and accused of criminal case.

4. Learned Advocate appearing on behalf of the petitioner submits that admittedly the alleged occurrence took place on 07.06.2025, but the present FIR came to be instituted on 12.06.2025, without there being any explanation for delay. Even if for the sake of argument, the allegation is taken to be true, it is the admitted position that the petitioner was a pillion rider and it is co-accused Anil Kumar Jha who was riding the motorcycle and dashed the same. In fact, it was an unfortunate accident, but, later on, on account of some previous dispute, in order to wreck vengeance and put pressure, the present FIR came to be instituted. The petitioner undertakes that he will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State and the learned Senior Advocate for the informant vehemently opposed the pre-arrest bail application and submits that the petitioner was fortunate enough that he sustained grievous



injury only in his leg, however he could have suffered some more injuries. All the more, the petitioner bears two criminal antecedent and for this reason alone the petitioner does not deserve the privilege of anticipatory bail.

6. Having considered the learned Advocate for the respective parties and taking note of the materials available on record, this Court is of the opinion that the criminal antecedent of a person shall be a relevant ground for consideration of the bail, however, the accusation levelled in the FIR is also required to be looked into in the case at hand. There is no such specific allegation of causing assault, rather the allegation against the petitioner is levelled to the extent of exhortation which led to causing dashing of the motorcycle of the petitioner, leading to some unfortunate injuries on non-vital part of the body. In view of the aforesaid facts, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Sahebpur Kamal P.S. Case No. 171 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik



Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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