

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89167 of 2025

Arising Out of PS. Case No.-313 Year-2024 Thana- BYPASS District- Patna

Umesh Nut Son of Biren Nut Resident of Village- Jagjivannagar, P.S.-
Sachiwalaiy, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Binay Kumar Singh, learned counsel for
the petitioner and Mr. Kalyan Shankar, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Bypass P.S. Case No. 313 of 2024, F.I.R. dated
14.07.2024 for the offences punishable under Sections 310(2) /
311 of the B.N.S.

3. According to prosecution case, the petitioner and
other accused persons are alleged to have entered into the house
of the informant and assaulted the informant's father and also
assaulted the informant with bricks on his head.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that the allegation as alleged in



the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. Petitioner is not named in the F.I.R. The name of the petitioner transpires on the basis of confessional statement of co-accused Firoj Nut. Except disclosure, there is nothing on record to connect the petitioner with the alleged occurrence.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., VI, Patna City, in connection with Bypass P.S. Case No. 313 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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