

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67195 of 2025

Arising Out of PS. Case No.-158 Year-2024 Thana- SONPUR RAIL P.S. District- Saran

Shubham Kumar Nishad S/o Rajendra Nishad @ Rajendra Kumar Nishad R/o
Mohalla - Bichhiya Jungle Tulsiram, P.S - Sahpur, District - Gorakhpur (Uttar
Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amir Alam, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

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

ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Sonepur Railway P.S. Case No. 158 of 2024, instituted for the
offences punishable under Sections 318(4), 336(3), 336(4), 338
and 340(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on
05.12.2024, Sonepur Rail Police apprehended co-accused
Deepak Kumar Tiwary and Saksham Shrivastava near Hajipur
while they were trying to flee. They were accused of forging
joining letters in Railways, running a training centre, and were
found in possession of mobiles, ATM cards, PAN cards and
other items.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Pawan Kumar Srivastava and the same has got no evidentiary value. It is further submitted that the allegation levelled against the petitioner is not specific rather the same is general and omnibus in nature. The petitioner is in custody since 24.03.2025 and has got one criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 08.09.2025 passed in Cr. Misc. No. 64219 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonepur Railway P.S. Case No. 158 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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