

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3274 of 2026

Arising Out of PS. Case No.-777 Year-2025 Thana- ALAMGANJ District- Patna

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Gaurav Kumar S/o Rinku Gupta @ Golden Saw R/o Diwan Mohalla, Mitan
Ghat, P.S.- Khajekalan, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhimanyu Deo, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-01-2026 Heard Mr.Abhimanyu Deo, learned counsel for the

petitioner and Mr.Bhanu Pratap Singh, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
22.08.2025 in connection with Alamganj P.S. Case No. 777
of 2025, F.I.R. dated 22.07.2025 registered for the offence
punishable under Section 303(2) of BNS, 2023.

3. The prosecution case, in brief, is that the Scooty
of the informant was stolen from the Court campus situated at
Patna City by unknown persons.

4. Learned counsel for the petitioner submits that it
appears from the FIR that the petitioner is not named in the
FIR. The name of the petitioner has been transpired during



investigation on the basis of the confessional statement of co-accused person, namely, Ravi Kumar and till date no TIP has been conducted by the prosecution and nothing has been recovered from conscious possession or the house of the petitioner and except the confessional statement of co-accused person, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and co-accused person, namely, Ravi Kumar has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 15.01.2026 passed in Cr. Misc. No.74 of 2026. Petitioner has been remanded in the present case from Khajekalan P.S. Case No.297 of 2025. The police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 22.08.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one and said case is pending for consideration before the competent court of law, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, petitioner is not



named in the FIR, the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person and till date no TIP has been conducted by the prosecution, let the petitioner, above named, 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 learned A.C.J.M.-VI, Patna City, Patna in connection with Alamganj P.S. Case No. 777 of 2025, with the 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 his/her absence on two consecutive dates without sufficient reason, his/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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