

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1944 of 2026

Arising Out of PS. Case No.-375 Year-2024 Thana- RAJAON District- Banka

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Sourav Kumar @ Gourav Kumar @ Gavrabh Kumar S/O Sadanand Mandal
@ Sadanand Yadav R/O Village- Mirzapur, P.O- Barahat, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-01-2026 Heard Mr. Sanjay Kumar Jha, learned counsel for

the petitioner as well as Mr. Parmanand Kumar, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
06.11.2024 in connection with Rajoun P.S. Case No. 375 of
2024 (G.R. No. 2527 of 2024), F.I.R. dated 06.08.2024 for the
offences punishable under Section 309(4) of the Bharatiya Nyay
Sanhita, 2023 and Section 27 of Arms Act.

3. According to prosecution case, the informant
alleged that when he was returning to his office and reached near
Khaira railway crossing, in the meantime, four miscreants came
on two motorcycles and one of them fired, due to which
informant got injured. It is further alleged that the miscreants
broke the lock of the trunk of his motorcycle and took out bag in



which money, purse, Aadhar Card, PAN Card, Driving License etc, were kept and fled away.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The petitioner is not named in the FIR and his name transpired on the basis of confessional statement of co-accused person, namely, Abhishek Kumar and no incriminating articles/alleged articles have been recovered from the possession of the petitioner and except the disclosure made by co-accused person, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence and the petitioner is in custody since 06.11.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in one out of two cases.

6. Considering the aforesaid facts and circumstances, 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 the learned Chief



Judicial Magistrate, Banka in connection with Rajoun P.S. Case
No. 375 of 2024, subject to 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 absence on two consecutive dates without sufficient reason, his 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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