

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5288 of 2026

Arising Out of PS. Case No.-80 Year-2025 Thana- JAMALPUR RAIL P.S. District-
Lakhisarai

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Rupesh Kumar @ Azad kumar @ Kumar Rupesh Kumar Son of Late Manoj
Mandal R/o Village/Muhalla - Paria, P.S - Bariarpur, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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

ORAL ORDER

2 03-02-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Jamalpur G.R.P. P.S. Case No. 80 of 2025, instituted for the
offences punishable under Sections 304(2), 62 and 317(4) of the
Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the petitioner
along with other co-accused person has snatched a golden chain
from the neck of the informant in a train and was arrested by the
police while chasing.

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 submitted that the petitioner has been arrested only on the basis of suspicion. It is further submitted that due to non-fulfillment of illegal demand made by the informant, the petitioner has been falsely implicated in this case. The petitioner is in custody since 01.08.2025 and has got nine criminal antecedents in which he is on bail.

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 ***after framing of charge, if not already framed***, 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 Jamalpur G.R.P. P.S. Case No. 80 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the prosecution will have liberty to move for cancellation of bail.

(III) The petitioner will not tamper with the evidence or with the witnesses during the trial.

(IV) Petitioner shall not commit offence of similar nature in future.

If any of the above conditions are violated, the prosecution will have liberty to file appropriate application for cancellation of bail of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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