

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34945 of 2026

Arising Out of PS. Case No.-517 Year-2024 Thana- DUMRA District- Sitamarhi

Gopal Kumar S/O Chotelal Rai @ Chhotelal Ray R/O Village -
Vishwanathpur, P.S.- Dumra, Dist. Sitamarhi Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-07-2026 Heard Mr. Santosh Kumar, learned counsel for the
petitioner and Ms. Rina Sinha, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
24.09.2025 in connection with Dumra P.S. Case No. 517 of 2024,
F.I.R. dated 16.11.2024 for the offences punishable under Sections
103(1), 238 of Bharatiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant
alleged that the petitioner along with other accused persons
committed the murder of his son.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. Informant is not the eye witness of the present
occurrence and even no one has seen the alleged occurrence. Initially
the petitioner was not named in the FIR and his name transpired
during investigation on the basis of confessional statement of co-



accused, namely, Birendra Rai @ Pahari, who stated that this petitioner also participated in the present crime in question and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that similarly situated co-accused person, namely, Neha Yadav has been granted the privilege of anticipatory bail by this Court vide order dated 30.07.2025 in Cr. Misc. No. 36412 of 2025 and other co-accused persons, namely, Anish Kumar, Birendra Rai @ Pahari@ virendra Ray have been granted the privilege of bail by a co-ordinate Bench of this Court vide order dated 07.11.2025, 02.12.2025 in Cr. Misc. No. 55669 of 2025, Cr. Misc. No.45911 of 2025. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 24.09.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent 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 the said matter.

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 C.J.M, Sitamarhi in connection with Dumra P.S. Case No. 517 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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