

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36071 of 2026

Arising Out of PS. Case No.-62 Year-2026 Thana- CHAPRA RAIL P.S. District- Saran

Nikhil Kumar Son of Mukund Prasad Resident of Village9 Daulat Ganj, P.S.-
Bhagwan Bazar, District- Saran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharmnath Prasad Yadav, Advocate
		Mr. Vikash Kumar, Advocate
For the State	:	Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 08-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 303(2), 304, 313, 317(4),
317(5), 3(5) of the B.N.S., 2023.

3. As per the prosecution case, on 26.03.2026,
police apprehended three persons at Chapra Railway Station
who confessed to habitually snatching mobile phones from
train passengers and sell it to the petitioner.

4. Learned counsel for the petitioner submits that it
would be evident from the first information report itself that
three persons were arrested on the basis of suspicion by the
police who had admitted that they were engaged in snatching
of mobile phones and had also stated that they used to sell the
same in the shop of the petitioner. However, the petitioner was



not made a named accused in the F.I.R. and the same was lodged only against the three arrested persons. It is further submitted that during investigation, it has been shown that some mobile phones were recovered from the shop of the petitioner but as a matter of fact, the petitioner was running a mobile repairing shop and as many as seven persons had stated that they had given their mobiles for repairing and the learned counsel points out that Annexure-P/4 is the document suggesting that two of the phones which were recovered were in the name of his own family members. The petitioner is having no criminal antecedent and is in custody since 27.03.2026 and the investigation is almost on a close.

5. Learned APP for the State opposed the bail petition.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioner was not named in the first information report and he also has no criminal antecedent, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Sonpur at Chapra/concerned Court below in



connection with Chapra Rail P.S. Case No. 62 of 2026 subject
to conditions that:-

(i) One of the bailors will be his own blood
relative, preferably, father, mother, brother, sister and/or his
wife.

(ii) The petitioner shall cooperate in the
investigation/trial and in case of non-cooperation, the
prosecution would be at liberty to move an application for
cancelling the bail bonds of the petitioner.

(Soni Shrivastava, J)

priyanka/Nitu/-

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