

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39269 of 2026

Arising Out of PS. Case No.-100 Year-2026 Thana- UCHKAGAON District- Gopalganj

Rahul Kumar @ Gajru S/o Devendra Prasad R/o Village - Dahi Bhatta, PS -
Uchakagaon, District – Gopalganj Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-07-2026 Heard Mr. Lokesh Kumar Singh, learned counsel for the petitioner as well as Mr. Zainul Abedin, learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since 19.03.2026 in connection with Uchkagaon P.S. Case No. 100 of 2026, F.I.R. dated 25.02.2026 registered for the offence punishable under Sections 309(4) of BNS.

3. The FIR of the occurrence of loot is against unknown.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Initially, the petitioner was not named in the FIR and his name transpired on the basis of confessional statement of co-accused persons, namely, Afsar Ali and Mohan Kumar and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the



present occurrence. He next submits that nothing has been recovered from the conscious possession of the petitioner rather recovery has been made from the possession of co-accused, namely, Afsar Ali and Mohan Kumar and both the accused have been granted the privilege of bail by this Court and a co-ordinate Bench of this Court vide order dated 15.06.2026 and 08.06.2026 in Cr. Misc. No. 36560 of 2026 and Cr. Misc. No. 36019 of 2026. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 19.03.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and his name transpired on the basis of disclosure made by co-accused persons and similarly situated co-accused persons have been granted the privilege of bail by the co-ordinate Bench of this Court and this Court, 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 Additional Chief Judicial Magistrate-I, Gopalganj in connection with Uchakagaon P.S. Case No. 100 of 2026, 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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