

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38750 of 2026

Arising Out of PS. Case No.-142 Year-2022 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Gulshan Kumar S/O Dilip Singh @ Dilip Kumar Kunwar R/O Ward No. 7,
Tanra, Kalyanpur Basti, P.S- Mohiuddin Nagar, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Abhay Shankar Singh, Advocate
	:	Mr.Akshansh Shanker, Advocate
For the Opposite Party/s	:	Mr.Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-07-2026 Heard Mr.Abhay Shankar Singh, learned counsel for
the petitioner and Mr.Kumar Veerendra Narayan, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Mohiuddin Nagar P.S.Case No.142 of 2022,FIR
dated 17.06.2022 registered for the offences punishable under
Sections 147, 149, 341, 342, 323, 324, 307, 353, 332, 333, 337,
338, 427, 436, 188, 379, 380, 506 and 34 of IPC.

3. As per the F.I.R. fourteen accused persons named in
the F.I.R. including the petitioner along with 250-275 unknown
persons assembled near Mohiuddin Nagar Railway Police
Station, Samastipur, set ablaze the train which was standing at
the Platform No. 3 and when the police party intervened, they



attacked on the police party causing injury to the police personnel. All the persons were protesting against the Government scheme for recruitment of Agniveer in the Indian Army.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. From a bare perusal of the FIR it appears that the FIR has been instituted against 14 named accused persons alongwith 250 to 275 unknown persons. Petitioner is not named in the FIR and he has been made accused in the present case merely on the basis of the CCTV footage as well as on the basis of confessional statement of other co-accused persons and except the aforesaid, nothing has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. Further submits that there is no specific allegation of any assault or overt-act attributed against the petitioner in the FIR and co-accused persons namely Chikku @ Chikku Kumar @ Sushil Yadav has been granted anticipatory bail by this Court vide order dated 18.01.2024 in Cr. Misc No. 84440 of 2023 and another co-accused persons namely Anant Kumar @ Ankit



Kumar and Pintu Kumar Ray have been granted anticipatory bail by co-ordinate benches of this Court vide order dated 20.03.2023 in Cr. Misc No. 66374 of 2022 and 06.09.2023 in Cr. Misc No. 45854 of 2023, respectively.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, petitioner is not named in the FIR, name of the petitioner has been transpired during investigation on the basis of CCTV footage as well as on the basis of confessional statement of other co-accused persons and similarly situated co-accused persons have been granted privilege of anticipatory bail by different Co-ordinate Benches of this Hon'ble Court or by this Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 learned Additional Chief Judicial Magistrate-IV, Samastipur in connection with Mohiuddin Nagar P.S.Case No.142 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023



and with other 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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