

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43458 of 2026

Arising Out of PS. Case No.-53 Year-2026 Thana- MANSURCHAK District- Begusarai

Gautam Kumar S/O Late Vijay Sahni Resident of Ward no. 12 Dhakjari, P.S.-
Mansurchak, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar, Advocate

For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-07-2026 Heard Mr.Gaurav Kumar, learned counsel for the

petitioner and Mr.Anant Kumar 1, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
04.04.2026 in connection with Mansurchak P.S. Case No. 53 of
2026, F.I.R. dated 04.04.2026 registered for the offence
punishable under Sections 109(1), 132, 121(2), 238, 317(3),
249, 317(5), 61(2) of the B.N.S. 2023 and 25(1-b)a, 26,35 with
27 of the Arms Act.

3. As per the prosecution case, unknown criminals
were caught while they were dividing the looted booty amongst
themselves. Police raided the place where the criminals had
assembled and were dividing the looted ornaments etc. Later in
the scuffle, firing took place between the police and the accused



persons in which some criminals were injured. The involvement of the co-accused person, namely, Vicky Kumar has been found in the present case with regard to the fact that the two motorcycles used by the criminals were parked near the tea shop of the co-accused person, namely, Vicky Kumar.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. It appears from the FIR as well as the seizure list that arms has been recovered from possession of co-accused person, namely, Pawan Jha and petitioner was arrested alongwith other co-accused person and nothing has been recovered from conscious possession of the petitioner and at best the petitioner may be a member of the mob and similarly situated co-accused person, namely, Vicky Kumar has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 02.07.2026 passed in Cr. Misc. No.42512 of 2026 . The police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 04.04.2026.

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 and similarly situated co-accused person has been granted bail by a Coordinate Bench of this Hon'ble 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 learned Judicial Magistrate, 1st Class, Begusarai in connection with Mansurchak P.S. Case No. 53 of 2026, with 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/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 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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