

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43963 of 2026**

Arising Out of PS. Case No.-52 Year-2026 Thana- Bhopatpur District- East Champaran

1. Rahul Kumar S/O Akalu Sahni Resident of village- Nadi Kanhi, P.s.- Bhopatpur, Dist.- East Champaran.
2. Suraj Kumar S/O Akalu Sahni Resident of village- Nadi Kanhi, P.s.- Bhopatpur, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      07-07-2026                      Heard Mr. Abhishek Kumar, learned counsel for the petitioners and Mr. Kumar Ranjit Ranjan, learned APP for the State.

2. Petitioners seek bail, who are in custody since 21.04.2026, in connection with Bhopatpur P.S. Case No. 52 of 2026, F.I.R. dated 19.04.2026 registered for the offences punishable under Sections 309(4) of the B.N.S., 2023

3. Allegation against the petitioners is that they along with other co-accused persons have looted an amount of Rs. 14,000/- and one mobile phone from the informant.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and and they have been falsely implicated in the present case. He further submits that the the



allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. From perusal of the F.I.R. it appears that one looted mobile phone were recovered from possession of co-accused persons including this petitioner and till date no TIP was conducted by the prosecution and the recovered mobile was not put on test identification parade till today and the petitioners are in custody since 21.04.2026.

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

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and the recovered article has not been put on test identification parade as yet, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, East Champaran, Motihari in connection with Bhopatpur P.S. Case No. 52 of 2026, subject to the following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)**

Ibrar//-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

