

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46873 of 2026

Arising Out of PS. Case No.-20 Year-2025 Thana- BHAGWANGANJ District- Patna

Upendra Kumar @ Golu S/O Chandrama Mahto Resident of Village-
Dariyapur, P.S. Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheonandan Pandit, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-07-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Bhagwanganj P.S. Case No. 20 of 2025, instituted for the
offences punishable under Section 309(4) of the Bharatiya
Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the informant
was robbed by three unknown persons of his motorcycle and
mobile phone while returning to his house.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Santu Kumar and the same has got no evidentiary value. It is next submitted that looted motorcycle has been recovered from the possession of co-accused Santu Kumar. It is further submitted that one looted motorcycle has been recovered from the house of the petitioner in Masaurhi P.S. Case No. 59 of 2025. The petitioner is in custody since 10.02.2025 and has got six criminal antecedents.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed,*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhagwanganj P.S. Case No. 20 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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