IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76350 of 2026

CNR No. BRHC010998952026

Arising Out of PS. Case No.-68 Year-2026 Thana- CHAPRA RAIL P.S. District- Saran

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1. Rahul Kumar, S/O Late Kamod Ray @ Late Krishna Kumar, R/O Village- Brahampur, P.S.- Bhagwan Bazar, District- Saran.
2. Saheb Ray, S/O Ramanand Ray @ Ramnaryan Ray, R/O Village- Chhota Brahampur, P.S.- Bhagwan Bazar, District- Saran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Raushan Raj, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR

ORAL ORDER

2 28-10-2026 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with Chapra G.R.P. P.S. Case No. 68 of 2026, registered for the offences punishable under Sections 115(2), 117(3), 109, 304(2), 317(2) and 3(5) of the BNS.

3. The prosecution story, in brief, is that on 17-18 March 2026, the informant's sons, Monu Kumar and Vishal Kumar, were traveling in the general coach of the Lichchhavi Express from Anand Vihar to Chhapra. As the train slowed down near Chhapra railway station, Monu Kumar stood at the train gate using his mobile phone. It is alleged that three youth

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standing beside the railway track struck Monu Kumar's mobile-holding hand with an egg, causing him to drop his phone and fall off the moving train. It is further alleged that Monu Kumar sustained severe injuries, including broken limbs and head trauma, while the assailants fled with his mobile phone. It is lastly alleged that the said mobile phone was recovered from one Jitu Kumar, who disclosed that he had purchased the same from the co-accused Vikash Kumar @ Vikash Kumar Rai @ Vikash Rai.

4. The learned counsel for the petitioners have submitted that the petitioners are innocent and have falsely been implicated in the present case. He has further submitted that the occurrence is alleged to have taken place on 18.03.2026 whereas; the present case was lodged on 07.04.2026, after delay of 19 days. He has also submitted that no recovery has been made from conscious possession of the petitioners rather, the recovery has been made from possession of co-accused Jitu Kumar. The petitioners have been in judicial custody since 08.05.2026. Learned counsel for the petitioners lastly submits that similarly situated co-accused has already been granted regular bail by a coordinate Bench of this Court vide order dated 08.10.2026 passed in Cr. Misc. No. 65762 of 2026.

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5. Learned APP for the State opposes the prayer for grant of bail of the petitioners.

6. Having heard the parties and taking into consideration that recovery was made from co-accused and not from the petitioners and also the fact that charge-sheet has already been submitted, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the likewise amount each to the satisfaction of the learned Judicial Magistrate, Railway Court, Saran at Chapra, in connection with Chapra G.R.P. P.S. Case No. 68 of 2026, subject to the following conditions:

(I) One of the bailors shall be the petitioners' own or close member.

(II) The petitioners shall appear on each and every date fixed during the trial and also co-operate in the process of trial.

(III) The petitioners shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

(IV) The Petitioners shall not commit offence of a similar nature in future.

7. In case of violation of any of the aforesaid

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conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Accordingly, the regular bail application stands allowed.

(Alok Kumar, J)

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