IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76353 of 2026

CNR No. BRHC011032572026

Arising Out of PS. Case No.-112 Year-2026 Thana- BARAUNI RAIL P.S. District- Begusarai

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Pankaj Kumar @ Paniya, S/o Nago Mahto, R/o Village- Simariya Ghat Bind Toli, P.S- Chakiya, Distt.- Begusarai.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and the learned APP for the State.

2. The petitioner seeks bail in connection with Barauni Rail P.S. Case No. 112 of 2026, instituted for the offences under Sections 304, 132, 118(1) of the BNS.

3. The prosecution story, in brief, is that on June 8, 2026, while police officers were on patrolling duty two individuals jumped off the running Mokama Rajdhani Express train and attempted to flee. It is alleged that the police apprehended one person, identified as Pankaj Kumar (the petitioner herein), who assaulted an officer on the thigh with a blade during his capture, while his accomplice escaped. It is further alleged that upon searching the petitioner, police recovered three mobile phones (POCO, Samsung, and Vivo)

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with SIM cards and a blade from his possession. It is also alleged that during interrogation, he admitted that two of the mobile phones were stolen from train passengers and confessed to regularly committing such occurrence.

4. The learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 09.06.2026 in this case and charge-sheet has been submitted. Learned counsel further submits that because of the criminal history of the petitioner, he has been added as a suspect in this case.

5. Indicating to the criminal history of the petitioner, learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard the learned counsel for the parties and taking into consideration the fact that the charge-sheet has been submitted against the petitioner, and further taking into consideration the fact that criminal antecedents, by themselves, cannot constitute a ground for rejection of bail, as held by the ***Hon'ble Apex Court*** in ***Abhimanue Etc. Etc. v. State of Kerala***, and also the fact that the name of the petitioner has been added merely on suspicion, this Court is inclined to grant bail to the petitioner.

7. Let the abovenamed petitioner be released on bail

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on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned R.J.M., Barauni, Begusarai in connection with Barauni Rail PS Case No. 112 of 2026, subject to the following conditions :-

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

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

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

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

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

8. Accordingly, the regular bail application stands allowed.

(Alok Kumar, J)

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