

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88563 of 2025

Arising Out of PS. Case No.-169 Year-2025 Thana- GAYA RAIL P.S. District- Gaya

Deepak Kumar @ Kala Pathar R/o Rajan Saw R/o Mohalla- Bageshwari
Gumati Bam Baba, P.S- Delha Dist- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2026 Heard Mr.Vinod Kumar, learned counsel for the

petitioner and Mr.Md. Matloob Rab, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
17.08.2025 in connection with Gaya Rail P.S. Case No. 169 of
2025, F.I.R. dated 10.06.2025 registered for the offence
punishable under Sections 309(6) of BNS.

3. The FIR of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
allegation as alleged in the FIR is false and fabricated and the
petitioner has not committed any offence as alleged in the FIR,
although one mobile was recovered from possession of the
petitioner. Learned counsel for the petitioner submits that the



recovered mobile is petitioner's mobile and the same is not the looted mobile. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Arvind Kumar Paswan and said co-accused person, namely, Arvind Kumar Paswan has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 17.09.2025 passed in Cr. Misc. No.66099 of 2025 and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 17.08.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one but fairly submits that out of two cases, the petitioner is on bail in one case and rest one case is pending for consideration before the competent court of law, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, 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 Rail, Gaya in connection with Gaya Rail P.S. Case No. 169 of 2025, 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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