

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2435 of 2026

Arising Out of PS. Case No.-399 Year-2024 Thana- RAJAON District- Banka

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Sourav Kumar @ Gavrabh Kumar @ Gourav Kumar son of Sadanand Mandal
@ Sadanand Yadav Resident of Village - Mirzapur, PS- Barahat, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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

ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Rajoun
P.S. Case No. 399 of 2024 instituted for the offence under
Sections 309(4) & 317(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in brief, is that four unknown
persons intercepted the informant's truck near Rajawar Chowk,
Rajaun P.S., showed country-made pistols, threatened him with
death, forcibly snatched the keys and fled away with the truck
loaded with water tanks.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 23.06.2025. Petitioner
bears two (2) criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused. Nothing has been recovered from the conscious possession of the petitioner. Looted truck is recovered from the possession of other co-accused person. Charge sheet has already been submitted in this case. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajoun P.S. Case No. 399 of 2024, 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)

Raj Kishore/-

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