

In the Court of Dipankar Pandey, Principal District & Sessions Judge, Bhagalpur, B.A. No. 393/2026, Raj Kumar Yadav & another Vs. The State of Bihar, order dated 27-04-2026.

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BHAGALPUR

Bail Application No. 393/2026

Ghogha P.S. Case No. 20/2026

Raj Kumar Yadav & another Versus State of Bihar

Counsel for the petitioners :- Sri Vikash Kumar, Advocate.

For the State :- Sri Sridhar Singh, Special Public Prosecutor.

Date of Order	Order with Signature of the Court
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27-04-2026	1. This is an application for regular bail filed on behalf of the accused-petitioners, namely 1. Raj Kumar Yadav and 2. Chandan Kumar, in connection with Ghogha P.S. Case No. 20/2026, instituted for offences u/s 8(c), 21(a) of N.D.P.S. Act, u/s 317(2), 111(2) (B) of B.N.S. & u/s 25(1-B)a/26/35 Arms Act. The petitioners are in custody since 01-02-2026. 2. Heard Sri Vikash Kumar, learned counsel for the petitioners and Sri Sridhar Singh, learned Special Public Prosecutor for the State. 3. Prosecution case as stated in the First Information Report is that on 31.01.2026 at about 03:00 hours, Sub-Inspector Ajit Kumar, presently posted as Officer-in-Charge at Ghogha Police Station, recorded his self-statement stating therein that on 30.01.2026 at about 07:30 hours, upon receipt of information from Dial-112 regarding the snatching of a mobile phone from Rahul Kumar, he proceeded with the police force for verification and necessary action and reached at Kodwar Four-Lane, where some photographs were shown on which one Ravi Kumar was identified. Thereafter, the police team reached at the house of Ravi Kumar where he was found present and on interrogation he disclosed that Abhishek Kumar and Bhado @ Bhadwa on the point of country-made pistol snatched the mobile phone and purse. The snatched mobile phone, weapon and purse are with Bhado @ Bhadwa. He further disclosed that he had a country-made pistol which was handed over to Abhishek. Acting on this information, raids were conducted at various places including the house of Chandan Kumar at Fulkiya NH-80, where several persons namely Pinta Kumar alias Pinta, Chandan Kumar, Nitish Kumar, Raj Kumar Yadav and Devendra Kumar were found present who were apprehended. In presence of independent witnesses, search of the premises was done wherefrom three country-made firearms with live cartridges, ten packets of

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smack wrapped in silver foil, three grams of smack in polythene, silver foil roll, four mobile phones, one steel knife, and three motorcycles including one stolen TVS Apache which belongs to one Arvind Singh of Sanhoula were recovered. On interrogation, the accused persons admitted their involvement in theft, snatching, and sale of stolen motorcycles, as well as in preparation and sale of smack packets. The recovered articles including contraband materials were seized as per seizure list and the apprehended persons were formally being arrested and on the basis of typed application of informant the present case has been instituted and they were remanded to judicial custody.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Entire allegation against the petitioners is false and concocted. In fact, nothing incriminating has been recovered from conscious possession of the petitioners. The learned counsel for the petitioners submits that from plain reading of F.I.R. it is apparent that virtually there is no allegation against the petitioners, rather, it has only been mentioned that when the police raided the house of Chandan Kumar, the other accused persons were present there. In such situation, no case is made out against the petitioners. The petitioners bears clean antecedent and they are in custody since 01-02-2026.
5. The Learned Special P.P. vehemently opposed the prayer for grant of bail to the petitioners.
6. Perused the case record as well as case diary. In course of investigation the I.O. has mentioned the contents of seizure list at para 2 of the case diary. At para 3 of the case diary the restatement of informant has been mentioned whereas at para 4, 5 and 6 of the case diary the statements of other police witnesses have been recorded and all these witnesses have very categorically and specifically supported the entire prosecution case. At para 25, 50 and 68 of the case diary, the criminal antecedent of co-accused Pintu Kumar @ Pinta, Bhado @ Sunil Mandal and Abhishek Kumar are mentioned. At para 60 of the case diary test report of fire arms and cartridges are mentioned which were found effective. At para 86 of the case diary, the criminal history of Nitish Kumar and Bhadwa Mandal has been mentioned. At para 35 and 109 of the case diary the confessional statement of co-accused Ravi Kumar and Bhado @ Bhadwa @ Sunil Mandal has been

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mentioned and from perusal whereof it transpires that they apart from admitting their involvement in alleged occurrence also named the other co-accused including the petitioners who are his crime partner. At para 119 of the case diary the contents of supervision note has been mentioned and from perusal whereof it appears that the case has been found true against the petitioners and other co-accused persons. At para 126 of the case diary, criminal history of petitioner Chandan Kumar has been mentioned but in the bail petition the same has been concealed. It appears that the petitioners have not come with clean hand. As per para 127 of the case diary Sanhaulla P.S. Case No. 07/2026 dated 01-02-2026 has been registered for theft of motorcycle bearing registration no. BR 10AS 1448. Investigation of the case is still going on.

7. After having gone through the documents & the materials available on record, this court finds that the accused-petitioners are named in the FIR against whom there is specific allegation that they along with other co-accused persons formed a Gang and on the point of firearm used to snatch the belonging of innocent person as well as engaged in sell of contraband materials. Further, it transpires that several arms along with contraband substance and stolen bike were recovered and the petitioners were present there at the time of raid and recovery. It appears from the FIR and the materials available on the record that the petitioners are also a member of said Gang and they along with other co-accused persons have committed multiple type of offence. The allegation appears to be very serious in nature. The investigation of the case is still going on.
8. Therefore, considering the aforesaid facts as also the fact that the investigation of the case is still going on, this court is not inclined to release the petitioners on bail. Accordingly, the prayer for bail of above named two petitioners stands **Rejected**.

Sd/-

(Dipankar Pandey)
Principal Sessions Judge.

Date of Judgment/Order	27-04-2026
Date of Reserving Judgment/Order	N/A
Uploading Date	29-04-2026
Uploaded by	R.B.D. Tripathi, Steno

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