

IN THE COURT OF SESSIONS JUDGE, GAYAJI

B.P. No. 317/2026

Mohit Agarwal @ Golu Vs. The State of Bihar

Rail Gaya P.S. Case No. 334/2025

**19.03.2026**

**Present :**

For the petitioner ----: Sri Ashok Kumar, Ld. Advocate

For the State-----: Sri S.B. Ojha, Ld. P.P.

The present petition for regular bail has been filed on behalf of petitioner Mohit Agarwal @ Golu who is in judicial custody since 26.01.2026 in connection with Rail Gaya P.S. Case No. 334/2025 registered for the offence punishable under sections 309(4), 310(2), 308, 351, 61, 198, 115(2), 126(2), 120 and 201 of the BNS.

Ld. counsel appearing for the petitioner submits that this petitioner has falsely been dragged in this case and that, the allegation as levelled in the FIR is in respect of snatching of the gold articles between Gayaji and Kodarma. He further submits that even the victim Manoj Soni by way of an unsigned letter, received in the concerned court on 30.11.2025, made allegations against one Dhananjay Sashwat, who was handed over some gold by Manoj Soni to be delivered at Jaipur and there appears to be a direct contrast and contradiction in such statement because in his own statement Manoj Soni has stated that the gold was to be delivered to Kanpur or some other place.

Ld. counsel further submits that the petitioner's name has transpired in this case solely on the basis of a mobile conversation with one Vinod and the said Vinod was asked by the co-accused Parwez Alam to come to his water plant with cutter where other co-

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accused namely Parwez Alam and other police constables with Dhananjay Shaswat had assembled. And, only on account of mobile connectivity with said Vinod, this petitioner's name has been referred.

Ld. counsel further submits that this petitioner happens to be a gold smith and an active member of the Bullion Association. He further submits that only on the basis of suspicion and unreliable evidences, the police has unnecessarily implicated him while showing recovery of some gold, which in fact was his personal property. He further submits that he is having the cash memo relating to the purchase of the said gold which belonged to his mother.

Ld. counsel further contended that this petitioner is having no criminal antecedents and has always been ready and willing to extend full cooperation to the IO during the course of investigation.

Ld. counsel appearing for the petitioner submits that although the offence is undoubtedly serious and the involvement of some GRP personnel has also been found, the petitioner has no connection with the offence. He further contended that the GRP personnel were present in the train and their names have been specifically referred but the petitioner has nothing to do with the commission of the offence and as such the detention of this petitioner in judicial custody cannot be justified. He further submits that the petitioner carries no criminal antecedents and has been in judicial custody since 26.01.2026.

Ld. P.P. opposed the prayer for bail submitting that the petitioner's name has transpired during the course of investigation as a suspect.

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I have considered the submissions as advanced by both the parties and have perused the case diary.

Although entire case diary has been produced before this Court but for the reasons best known to the IO that portion which referred the statement of this petitioner not been attached.

There is no direct evidence rather suspicion alone appears to be there and investigation is still going on. Even the victim Manoj Soni has not specifically made any allegation rather his allegation was initially confined to said Dhananjay Sashwat.

No doubt the case appears to be of a serious nature but the fact remains to be that, as per the entire prosecution case, referred to in the case diary, direct involvement of Anand Mohan, Abhishek Kumar Chaturvedi, Ranjay Kumar and Karan Kumar besides Parwez Alam have been found to be there in the incident who were instrumental in intercepting Dhananjay Shashwat and bringing him to the water plant of Parwez Alam and whatever materials have been produced by the IO it only suggests suspicion on this petitioner which cannot be sufficient for refusing the prayer for bail.

This Court is required to strike a balance between the individuals liberty and prosecution's right to proper investigation and trial in such a serious case.

Under the circumstances discussed above, and upon perusal of the allegations and the materials as appearing against this petitioner, this Court is of the view that petitioner's case deserve consideration.

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Accordingly, this Court hereby directs for release of this petitioner on furnishing bail bond of **Rs. 30,000/-** with two sureties of the like amount each to the satisfaction of the learned court on the following conditions:

1. One of the bailors shall be a family member/ direct relative who shall file an affidavit to the effect that the petitioner is not involved in any other case except the present one.
2. The petitioner shall undertake that he will extend full cooperation to the IO during the course of investigation and shall present himself as and when required and shall make true disclosure of the facts.
3. The petitioner shall further undertake that he shall not coerce or intimidate any prosecution witness so as to interfere in the proper investigation of this case.

With the aforesaid, this bail petition stands **allowed**.

(Dictated and corrected)

Sd/-  
(M.K. Kaushik)  
Sessions Judge, Gayaji  
19.03.2026

Date of Judgment/Order	19.03.2026
Date of reserving Judgment/Order	N/A
Uploading date	23.03.2026
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