

IN THE COURT OF SESSIONS JUDGE, GAYAJI

B.P. No. 441/2026

Md. Parwez Alam Vs. The State of Bihar

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

**26.03.2026**

**Present :**

For the petitioner ----: Sri Kamlesh 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 Md. Parwez Alam who is in judicial custody since 23.02.2026 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 the petitioner's name has surfaced only in the confessional statement of some co-accused and no recovery has been made from his possession.

Ld. counsel further submits that gold smuggling had been rampant in the recent past and recoveries of significant quantity of gold was made whereupon FIR being GRP Case No. 297/2025 dated 09.10.2025 was got registered and that, the present case and the FIR was registered as per the direction of the SP, Rail.

Ld. counsel 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.

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Ld. counsel further submits that the case of this petitioner stands on similar footing with that of the co-accused Rajesh Kumar Singh and Mohit Agarwal, both of whom have already been granted bail by this Court vide order dated 24.01.2026 in BP No 93/2026 and vide order dated 19.03.2026 passed in BP No. 317/2026.

Ld. P.P. vehemently opposed the prayer submitting that the case of the petitioner does not stand on similar footing with that of other co-accused persons who have been granted bail as in the case of co-accused Rajesh Kumar Singh, the allegations were confined to administrative lapses and supervisory negligence and bail was granted subject to stringent conditions and in the case of Mohit Agarwal, no direct involvement was found in the commission of offence.

Ld. P.P. further submits that in contradiction, the present petitioner Parwez Alam has been specifically named and implicated in several paragraphs of the case diary. In Para 72, Dhananjay Shaswat has categorically stated that it was Parwez Alam along with others who have committed the loot in the train and that he was subjected to threats and intimidation by Parwez Alam. In Para 118, another witness has deposed that Parwez Alam frequently visited the police station and he has intimidated Dhananjay Shaswat over calls. In Para-119 also corroborated the allegations of threats by the petitioner.

Ld. P.P. further contended that in Para-122, one Binod Kumar, who is a gold smith has stated that Parwez Alam called him to his water plant with cutter and weighing machine and after cutting the gold, Parwez Alam himself took possession of a portion. This statement has also been reiterated before the Id. Court below as

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mentioned in Para-141.

Ld. P.P. further submits that references to Parwez Alam role again appear in Para 167, 168, 201 and 207. He further contended that these materials demonstrate direct and active participation of this petitioner in commission of the offence coupled with acts of intimidation and coercion of co-accused. The allegations are grave in nature, supported by multiple witness statements and cannot be equated with limited role attributed to the other co-accused person Rajesh Kumar Singh or the absence of involvement in the case of co-accused Mohit Agarwal.

I have considered the submissions as advanced by the parties and have perused the case diary, especially the paragraphs as referred to by the Ld. P.P. In view of the seriousness of the offence and the nature of the allegations, this Court is not inclined to grant bail to this petitioner.

Accordingly, this bail application stands **dismissed**.

(Dictated and corrected)

Sd/-  
(M.K. Kaushik)  
Sessions Judge, Gayaji  
26.03.2026

Date of Judgment/Order	26.03.2026
Date of reserving Judgment/Order	N/A
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