

In the Court of Additional Sessions Judge-XVI, Gaya Ji
Bail Petition No.653 of 2026
(Arising out of Gaya Rail P.S. Case No.74 of 2026)

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Bherulal Parjapat S/o Ramesh Chand

R/o Asadi, P.S.- Asadi, District- Ujjain (Madh Pradesh)

----- Petitioner

Versus

The State of Bihar

----- Opposite Party

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30.04.2026

The bail petition has been filed and moved on behalf of incarcerated above named accused who is in judicial custody since 21.03.2026, arising out of Gaya Rail P.S. Case No.74 of 2026 for committing offence u/s 317(5) of B.N.S., pending in the Court of Learned A.C.J.M.- Rail, Gaya Ji.

Heard Learned Advocate for the petitioner and Learned A.P.P. for the State.

This present case has been instituted by the gusty duty officer Ajay Tigga who is the informant of the present case. He alleged that on 20.03.2026 the informant and others were on gusty duty during the such period, one person wanted to theft mobile but the said person apprehended who disclosed his name as Bherulal Prajapati (who is the petitioner) and inquired then found mobile. Hence this case.

The Learned defence counsel humbly submitted that the petitioner has not filed any bail either anticipatory or regular bail petition before this Court or any Hon'ble higher Court. The Learned defence counsel for the petitioner humbly submitted that the petitioner is quite innocent and has falsely been implicated in this case merely with a view to harass the petitioner and he has not committed any offence. He further stated that petitioner has not caught on the spot and nothing has been recovered from his conscious possession. Lastly, he submitted that the petitioner has three criminal antecedent and he is in judicial custody since 21.03.2026, so he deserve the privilege of bail.

The Learned A.P.P. opposed the prayer and prayed to dismiss the petition of bail filed by the petitioner.

Heard the learned counsel for both the sides and perused the case record along with the LCR. From perusal of case record, it transpires that, this case has been instituted for the offence u/s 317(5) of B.N.S., against the present petitioner. From perusal seizure list, it transpires that two mobile has been recovered from the possession of the present petitioner out of which one mobile belongs to petitioner. Petitioner is resident of Ujjain. From perusal of Para No.3 of bail petition as well as Para No.27 of case diary, it transpires that present petitioner has no criminal antecedent.

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Considering the nature of allegation against the petitioner and his custody period, I am inclined to enlarge the petitioner on bail. Accordingly, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, subject to the satisfaction of the learned court below. This direction for bail is also subject to the condition that one of the bailor shall be relative of the petitioner. This direction for bail is further subject to the condition that the petitioner shall fully cooperate in trial of the case and they shall not induce on thereafter the prosecution witnesses also the prosecution is at liberty to move for the cancellation of this bail bonds. This bail application is disposed of accordingly. Nothing stated herein shall tantamount to any expression of opinion on the merits of the case.

(Dictated)

Sd/-

(Manoranjani Shaw)

**Additional Sessions Judge-XVI,
Gaya Ji**

Date of Order	30.04.2026
Date of Reserving Order	N/A
Uploading Date	30.04.2026
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