

IN THE COURT OF SESSIONS JUDGE, GAYAJI

B.P. No. 785/2026

Rakesh Kumar Vs. The State of Bihar

Mufassil P.S Case No.98/2026

06.05.2026

Present :

For the petitioner -----: Sri Awadhesh Kumar, Advocate

For the State-----: Sri S.B Ojha, Public Prosecutor

The present petition for regular bail has been filed on behalf of the petitioner Rakesh Kumar who is in judicial custody since 19.02.2026 in connection with Mufassil P.S Case No.98/2026 registered for the offence punishable under section 309 (4) of the BNS.

Prosecution case, in brief, as per written report of the informant Atul Kumar is that he drives his own auto-rickshaw (TOTO) and in the night of 29.01.2026 at about 12:30 P.M, at Gayaji Railway Station one unknown person hired his vehicle to go at Bhushanda. At about 1:00 A.M., the informant reached at Panchdev Dham Sita Kund where two other unknown persons joined him and thereafter, they started assaulting the informant, snatched his Toto bearing registration No.BR-02RA-7580, mobile phone and cash Rs.550/- and fled away. It is stated that the informant can identify the accused persons upon seeing them.

Ld. counsel appearing for the petitioner submits that petitioner is quite innocent and has been falsely implicated in this case. He further submits that the petitioner has no role in the alleged offence. He further submits that there is no specific allegation against him and neither he has been arrested on the spot nor anything has been recovered from his possession.

Ld. Counsel further submits that petitioner carries one criminal antecedent being Wazirganj P.S Case No.526/25 in which he is on bail.

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I have considered the submissions as advanced by the parties and have perused the trial court record. Upon perusal of FIR, it is found that the case has been registered against unknown persons for the alleged offence of snatching E-Rickshaw (TOTO), mobile phone and cash Rs.550/-. After perusal of case diary, it appears that the name of this petitioner has been disclosed by one Sintu Kumar which is mentioned in para-59 of the case diary. After further perusal of the case diary, it appears that snatched E-Rickshaw (TOTO) and mobile phone have been recovered. The petitioner is languishing in jail since 19.02.2026.

Ld. P.P has also been heard in opposition to the prayer for bail.

Considering the aforesaid facts and circumstances of the case and submissions of the parties, the prayer for bail of this petitioner is hereby allowed. The petitioner is directed to be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of the court concerned with additional condition that :

1. One of the bailors shall be close relative of the petitioner.

(Dictated and corrected)

Sd/-
(P.K. Malik)
Sessions Judge, Gaya
06.05.2026

Date of Judgment/Order	06.05.2026
Date of reserving Judgment/Order	N/A
Uploading Date	08.05.2026
Uploaded by	Steno (Vikash Kumar)