

Bail Application No. 216/2026
(Arising out of Kateya P.S. Case No. 677/2025)
U/s 126(2), 115(2), 338, 336(3), 340(2), 316 (2), 318(4), 352, 351(2) BNS
CNR:- BRGO010037102026



In the matter of:

Sarwar Ali

-----Petitioner.

Versus

The State of Bihar

-----Respondent.

Appearance:

For the Petitioner: Mr. Rajesh Kumar Pathak, Ld. Advocate.

For the State: Mr. Ramesh Kumar Singh, Ld. A.P.P.

ORDER

Sl No.	Date of Order or Proceeding	Order with Signature of the Court	Office action taken with Date
1	2	3	4
	<u>13.04.2026</u>	<p>1. This application for regular bail is filed on behalf of above mentioned accused person who is in judicial custody since 20.02.2026 in connection with Kateya P.S. Case No. 677/2025 for the offence punishable u/s 126(2), 115(2), 338, 336(3), 340(2), 316(2), 318(4), 352, 351(2) BNS</p> <p>2. Petitioner has given certificate in para 2 of the bail application that earlier no application for anticipatory or regular bail has been filed before any of the Court or any Court superior to this Court. In para-3 of the petition, it is mentioned that the petitioner is having one criminal case i.e. Kateya P.S. Case No. 696/2025, except this no criminal antecedants found.</p> <p>3. Heard, the learned counsel for the petitioner as well as the learned A.P.P. for the State.</p> <p>4. The factual matrix of the case in brief is that one Sarwar Ali who belongs to the same village as the informant who works in sending the informant abroad. It was further alleged by the informant that the accused petitioner took Rs. 2 lakhs from the informant and sent us abroad on a tourist visa but the informant was expelled from there</p>	Contd.....)

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within 15 days on a tourist visa. Informant told that he have to work there for 2 years and when he reached Russia airport, then he came to know that it was a tourist visa. After that, informant had to face a lot of trouble and when called the accused petitioner and told him about the said things, he abused us and threatened us, that if he do more, they will trap us there. It was further told by the informant that somehow, he got the money by mortgaging land from her family members, only then they were able to come to his own country. It was further alleged by the informant that they have the receipt of all the money he gave him and when informant went to his house and demanded the money, he started threatening us, scuffling with the informant and abusing him and beating him. Hence the FIR was instituted.

5. The Ld. counsel for the petitioner submitted that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. It was further submitted by the petitioner is that the prosecution story is totally false, fabricated and concocted. It was further submitted that petitioner is in custody since 20.02.2026. Hence, he deserves bail.

6. On the other hand, the Ld. Addl. P.P. opposed the prayer for bail of the petitioner.

7. Heard both the sides and perused the entire case record. From perusal of the same, it is found that the present case was instituted vide Kateya P.S. Case. No. 677/2025 under Section 126(2), 115(2), 338, 336(3), 340(2), 316(2), 318(4), 352, 351(2) BNS out of which the offences under Section 316(2) and 318 (4) BNS are non-bailable. The allegation against this accused petitioner is that he send the informant abroad on tourist visa and for this he took Rs. 2 lakhs from him but, from para-28 of the case diary, it was found that the said visa was a

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working visa not a tourist visa. The accused petitioner is in custody since 20.02.2026.

8. Considering the aforesaid facts and circumstances of the case and the period of custody, I am inclined to grant bail to the petitioner. Accordingly, the bail application of the petitioner is hereby **allowed**.

9. It is ordered that the petitioner be released on bail subject to his furnishing bail bond in the sum of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties in the like amount each to the satisfaction of the Court subject to the condition laid down. with following condition :

I.) Section 480 (3) of the B.N.S.S.

Dictated

Sd/-

(RAKESH RANJAN SINGH)
Additional Sessions Judge IX
Gopalganj.

Date of Judgement/Order	13.04.2026
Date of Reserving Judgment/Order	13.04.2026
Uploading date	13.04.2026
Uploaded by	Omkesh Kumar