

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Regular Bail Petition No. 480 of 2026

(Arising out of Barauli P.S. Case No. 219 of 2018, registered U/S 147, 148, 149, 341, 323, 324, 307, 353, 332, 333, 427, 504 and 506 of the I.P.C.)

In the matter of :-

Name of the petitioner : Bhagat Choudhary @ Rakesh Choudhary.

F.I.R. U/S : 147, 148, 149, 341, 323, 324, 307, 353, 332, 333,
427, 504 and 506 of the I.P.C.

Charge-Sheet U/S : not submitted.

Counsel for the Petitioner: Shri Ramesh Chandra Srivastava, ld. Adv.

Counsel for the State : Shri Deo Vansh Giri, ld. P.P.

O R D E R

19-05-2026

1. This Bail Application filed on behalf of above named accused-petitioner, who is in judicial custody since 22-04-2026, in connection with Barauli P.S. Case No. 219 of 2018, registered U/S 147, 148, 149, 341, 323, 324, 307, 353, 332, 333, 427, 504 and 506 of the I.P.C., is put up for hearing today.

2. As per the FIR, prosecution case in brief is that informant Dharmendra Kumar, Officer-In-charge of Barauli P.S. gave a written application to the Addl. Chief Judicial Magistrate-XIV, Gopalganj on 29-09-2018 allegation therein inter alia that on 27-09-2018 at about 16:15 O'clock, he received information that one Brij Kumar Yadav has been murdered who was a truck driver under Masark P.S. in Saran Distt. due to which his family members and other villagers have blocked NH-28 and there was congestion on the NH-28 and they were misbehaving with the passerby under the leadership of Deepak Kumar Singh @ Dimbal Singh. So far the verification of information and for taking necessary action, he along with other police officer reached at NH-28 congestion place and saw that under the leadership of Deepak Kumar Singh @ Dimal altogether 54 named accused and other 150 unknown persons were raising slogan against police administration and they were blocking the road and torching on the road and they have collected bricks, stones chips and accused Deepak Kumar Singh was instigating the mob to kill the police administration, but anyhow congestion was removed. It is further alleged that after removal of congestion, accused persons blocking the road near Sonvar Petrol Pump and when they reached there for removal of congestion, the mob started throwing bricks chips upon the police party, but any how mob was controlled and injured police officers and others were

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sent for treatment. Further alleged that all the accused persons have blocked NH-28 for six hours and they were torching on the road and they have deterred the police party to remove the congestion and they have also thrown bricks chips on the police officer with intention to kill them.

3. It is submitted on behalf of accused/petitioner that he is innocent and has committed no offence and has been falsely implicated in this case. It is further submitted that petitioner has got no criminal antecedent. It is further submitted that as a matter of fact, the full brother of the petitioner was murdered by some criminals and thereafter a large number of villagers gathered there and they blocked the traffic but the petitioner and his family members were shocked and they were senseless due to the aforesaid incident. It is further submitted that petitioner was not involved with the villagers to block the traffic and petitioner has been implicated in this case due to the reason that he is the family member of the deceased. It is lastly submitted that petitioner is in custody since 22-04-2026. On such strength, prayer for bail has been made by the petitioner.

4. Heard ld. Counsel appearing on behalf of the petitioner as well as ld. P.P. for the State. Ld. P.P. for the State has opposed the prayer for bail of the petitioner.

5. Having heard both the parties and perused the case record along with case diary. From the perusal of the F.I.R as well as case diary, it transpires that F.I.R. has been lodged against 54 accused including this petitioner and 150 unknown accused persons. It further appears that although, petitioner named in the F.I.R. against whom there is allegation he and other accused persons had blocked NH-28 for six hours and caused impediment in traffic as well as discharge of official duties of the police personnel but there is no specific allegation attributed against him. Informant and witnesses at para-02, 03, 21, 39 and 40 of the case diary have repeated the version of the prosecution and all the witnesses are official witnesses. From perusal of the injury reports of injured persons at para-137 of the case diary, it appears that injuries are found to be simple in nature caused by hard and blunt substance. Para-379 of the case diary shows that during the course of investigation, petitioner was caught by the police. There is no mention of any criminal antecedent of the petitioner in the case diary. From perusal of the record, it appears that some co-accused

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persons have been granted bail. The petitioner appears to be in custody since 22-04-2026.

6. Considering the aforesaid facts and circumstances of this case and considering the period of custody of the petitioner and without going into the merit of the case, this court is inclined to grant bail to the petitioner and hence, the same is hereby allowed. Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the ld. Court below **subject to conditions that one of the bailors shall be close relative of the petitioner and one shall be local with further condition that petitioner will also file an undertaking that he will cooperate in the investigation or trial and he will not temper with the evidence.**

Let a copy of this order along with lower court record be sent to the ld. Lower court for information and needful.

(Dictated)

(Geeta Gupta)
Principal Sessions Judge, Gopalganj.