

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Regular Bail Petition No. 424 of 2026

*(Arising out of Kuchaikote P.S. Case No. 79 of 2026, registered U/S 317(5)/3(5) of the
B.N.S.)*

In the matter of :-

Name of the petitioner	: Golu Kumar.
F.I.R. U/S	: <u>317(5)/3(5) of the B.N.S.</u>
Charge-Sheet U/S	: <u>317(5)/3(5) of the B.N.S.</u>
Counsel for the Petitioner	: Shri Viresh Kumar, ld. Adv.
Counsel for the State	: Shri Deo Vansh Giri, ld. P.P.

ORDER

19-05-2026

1. This Bail Application filed on behalf of above named accused-petitioner, who is in judicial custody since 13-02-2026, in connection with Kuchaikote P.S. Case No. 79 of 2026, registered U/S 317(5)/3(5) of the B.N.S., is put up for hearing today.

2. As per the FIR, prosecution case in brief is that on 12-02-2026, informant Rampadarath Pandit, who happens to be the P.S.I. of Kuchaikote P.S. along with police party proceeded for patrolling and during the course of patrolling, at about 12:50 O'clock, he arrived at village Jalalpur near Duga temple and saw that three motorcycle borne was seen coming there, who were caught by the police along with three motorcycles bearing reg. no. BR29B7125, BR05AH3602 and UP57BB1615 respectively. On interrogation, apprehended persons disclosed their name as Golu Kumar, Sonu and Chhotu Kumar. After complying the rule of search, search was conducted by the police and when apprehended accused-persons along with their motorcycles were searched by the police and on search, nothing was recovered. When paper of recovered motorcycles were asked from the apprehended accused-persons but they did not produce any paper nor they gave any answer satisfactorily. On query, apprehended accused persons disclosed that the recovered motorcycles was stolen one and these motorcycles were given to the apprehended accused persons by one Vijay Yadav and Kundan Yadav for selling in the Bihar. Accordingly, seizure list was prepared and accused persons were caught by the police.

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 is not indulge in the any crime. It is further submitted that seized motorcycle was handed over by Vijay Yadav and Kundan Yadav. It is further submitted that petitioner is a

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labour and he went for labour work, in the meanwhile, police chased and and caught him. It is further submitted that F.I.R. is lodged against the petitioner false and fabricated. It is further submitted that police has submitted charge-sheet. It is lastly submitted that petitioner has got no criminal antecedent and he is in custody since 13-02-2026. 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 petitioner is named in the F.I.R., who was caught by the police along with one stolen motorcycle bearing reg. no. BR29B7125. Informant and witnesses at para-02, 05 and 06 of the case diary have repeated the version of the prosecution and all the witnesses are official witnesses. Para-20 of the case diary shows that petitioner has got one criminal antecedent. Para-23 of the case diary shows that one Swaminath of Distt. Dewariya is the owner of the stolen motorcycle bearing reg. no. BR29B7125 and para-24 of the case diary shows that the motorcycle owner has lodged Kaseya P.S. Case No. 0081/26. From perusal of para-29 of the case diary, it appears that after completion of investigation against the petitioner, Charge-Sheet No. 191/26 dated 05-04-2026 has been submitted. The petitioner appears to be in custody since 13-02-2026.

6. Considering the aforesaid facts and circumstances of this case and considering the period of custody of the petitioner, 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 and he will 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.