

In the Court of Principal Distt. and Sessions Judge, Gopalganj.

Cri. Misc. No.80 of 2026

1.) Jakir Rahman and 2.) Md. Ashif.....Petitioners.

V e r s u s

State of Bihar.....O.P.

For the petitioners:- Sri Kamlesh Kumar, Id. Advocate,

For the State :- Sri Deo Vansh Giri, Id. P.P.

O r d e r

18-05-2026

This Cr. Misc. Case is put up for hearing.

Heard both sides.

This criminal misc. case has been filed on behalf of petitioners 1.) Jakir Rahman and 2.) Md. Ashif with prayer to modify the condition that 'petitioners shall be released after framing of charge' in order dated 10-04-2026 passed in B.P. No.237/2026 so that the petitioners may be able to furnish bail bond in the case.

It is *inter alia* submitted on behalf of petitioners that the prayer for bail of the petitioners was allowed vide order dated 10-04-2026 in B.P. No.237/2026 with condition by this court that '**petitioners shall be released only after framing of charge and Id. Court below is directed to verify the criminal antecedent of the petitioners but acceptance of the bail bonds shall not be delayed in the name of verification and in verification, if any concealment is found, Id. Court below shall cancel their bail bonds with further condition that one of the bailors shall be close relative of the petitioners and one shall be local with further condition that petitioners will file an undertaking that they shall cooperate in the investigation or trial and they shall not temper with the evidence.**' It is further submitted that as a matter of fact, I.O. has submitted charge-sheet without obtaining sanction/permission report, which is mandatory and due to which framing of charge is being delayed unnecessarily and petitioners are in custody in since 19-01-2026 and in such a situation framing of charge will take a long time. Hence, for the ends of justice, Id. counsel has prayed to modify in the aforesaid condition.

Per contra Id. P.P. has not opposed the prayer of petitioners.

From perusal of the order dated 10-04-2026 passed in B.P. No.237/2026, it transpires that regular bail of petitioners was granted by this court with conditions that '**petitioners shall be released only after framing of charge and Id. Court below is directed to verify the criminal antecedent of the petitioners but acceptance of the bail bonds shall not be delayed in the name of verification and in verification, if any concealment is found, Id. Court below shall cancel their bail bonds with further condition that one of the bailors shall be close**

(Contd./18-05-2026)

relative of the petitioners and one shall be local with further condition that petitioners will file an undertaking that they shall cooperate in the investigation or trial and they shall not temper with the evidence.' But in this matter, due to aforesaid reasons, framing of charge will take considerable time and petitioners are in custody since 19-01-2026.

Considering the facts and circumstances of the case, for the ends of justice, *this Cri. Misc. case is partly allowed and condition of 'petitioner shall be released after framing of charge' is relaxed. Other conditions in the said order shall remain unchanged.* Accordingly, this criminal misc. case stands disposed of.

Let a copy of this order be sent to the Id. Court-concerned and order be uploaded on C.I.S.

Dictated

(Geeta Gupta)
Principal District and Sessions Judge,
Gopalganj.