

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Regular Bail Petition No. 540 of 2026

(Arising out of Barauli P.S. Case No. 33 of 2026, registered U/S 303(2) of the B.N.S.)

In the matter of :-

Name of the petitioner	: Khairul Basar @ Nanhki.
F.I.R. U/S	: <u>303(2) of the B.N.S.</u>
Charge-Sheet U/S	: <u>not submitted.</u>
Counsel for the Petitioner	: Shri Ravi Shankar Rai, ld. Adv.
Counsel for the State	: Shri Deo Vansh Giri.

Order

09-06-2026

1. This bail petition filed on behalf of above named accused-petitioner, who is in judicial custody since 30-04-2026, in connection with Barauli P.S. Case No. 33 of 2026, registered U/S 303(2) of the B.N.S., is put up for hearing today.

2. The prosecution case, in brief, is that on the basis of written application of the informant, Barauli P.S. Case No. 33 of 2026 has been lodged against unknown. It is inter alia alleged in the F.I.R. that on dated 28-01-2026 to 29-01-2026 at about 12:30 am in the night, some unknown thieves have stolen away three Buffaloes of the informant.

3. It is submitted on behalf of accused/petitioner that he is innocent, has committed no offence and has been falsely implicated in this case. It is further submitted that petitioner has got four criminal antecedent. It is further submitted that no any witness has seen the occurrence and no one has disclosed the name of the petitioner. It is further submitted that no any buffalo has been recovered from the possession of the petitioner. It is further submitted that police has remanded the petitioner in this case from Barauli P.S. Case No. 129/26, in which his on bail. It is further submitted that name of the petitioner has come in this case in the confessional-statement of co-accused Javed Ali and in the confessional-statement of other co-accused persons. It is further submitted that allegation of theft is not made out against the petitioner and petitioner has no concern from the theft buffaloes and as a matter of fact, other accused persons came at the house of this petitioner and sell a buffalo for Rs. 16,000/-, it is crystal clear that the petitioner was not involved in the alleged theft and he was not present at the place of occurrence. It is lastly submitted that petitioner is in custody since 30-04-2026 On such strength, prayer for bail has been made by the petitioner.

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

7. 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 although, petitioner is not named in the F.I.R. but he along with other accused persons was caught by the police in Barauli P.S. case No. 129/26 and he

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has confessed about his guilt in his confessional-statement. Para-28 of the case diary shows that petitioner has got no criminal antecedent. From perusal of the L.C. record, it appears that petitioner along with other accused persons has been remanded in this case from Barauli P.S. Case No. 129/2026 and buffaloes have been recovered from the apprehended accused persons. The petitioner appears to be in custody since 30-04-2026.

8. Considering the aforesaid facts and circumstances of this case and considering the period of custody of the petitioners and without going into the merit of this case, this court is inclined to grant bail to the petitioners and hence, the same is hereby allowed. Petitioners are 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 Id. Court below subject to conditions that **one of the bailors shall be close relative of the petitioner and one shall be local, Id. Court below is directed to verify the criminal antecedent of the petitioner 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 his bail bonds with further condition that petitioner will file an undertaking that he shall not go out of the State of Bihar without permission of Id. Court below, he will cooperate in the investigation and he will not temper with the evidence.**

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

(Dictated)

(Geeta Gupta)
Principal Sessions Judge, Gopalganj.