

COURT OF ADDL. SESSIONS JUDGE-II, -KATIHAR
P.O. ASUTOSH RAI
ACCUSED NAME- Kunal Kumar
Katihar Rail P.S. Case No. 225/2025
Bail Petition No. 269 of 2026

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IN THE COURT OF ADDL. SESSIONS JUDGE-II DISTRICT-KATIHAR
(Bail Petition No. 269 of 2026)

In the matter of

1.Kunal Kumar, aged about- 20 years, S/o Rishikesh Sah
R/o- Mohalla- Ramsabha, Gaushala, P.S.- Sahayak, Distt.- Katihar

-----Accused/Petitioner.

Vs

State of Bihar-----Opposite Party.

Katihar Rail P.S. case No.-225/2025

U/S- 303 (2), 317 (5) of B.N.S.

Learned Advocate for Petitioner- Shri Awadhesh Kumar

Learned A.P.P. for the State- Shri Md. Ajaz Alam

ORDER

28.03.2026- This petition for regular bail has been filed on behalf of the accused namely Kunal Kumar who is in custody since 24.10.2025 in connection with Katihar Rail P.S. Case No. 225/2025 instituted U/S- 303 (2), 317 (5) of B.N.S.

Heard the learned counsel Shri Awadhesh Kumar appearing on behalf of the petitioner and learned A.P.P. Shri Md. Ajaz Alam appearing on behalf of the State and perused the lower court record along with case diary.

According to F.I.R., prosecution case in nutshell is that A.S.I. Sanjay Kumar Jaiswal, R.P.F. Post, Katihar lodged a written report to this effect that on 24.10.2025 at about 09:30 o' clock, during his official duty he saw that one person was walking near Manihari Terminal in very suspicious circumstances. Informant has further alleged that having seen the police personnel the said person started fleeing away and on suspicion he told to him to stop but he started fleeing away. Later on, he was intercepted and on being asked he disclosed his name to be Kunal Kumar (accused-petitioner) and on search one mobile of Vivo Company was recovered from his possession. Later on, seizure list was prepared and accused was remanded to jail custody.

On the other side learned counsel for the petitioner has reiterated all the grounds taken in the bail petition and has submitted that the petitioner is innocent and he has committed no offence. The petitioner has been falsely implicated in this case due to ulterior motive. Nothing has been recovered from the possession of accused-petitioner, although it has been shown in F.I.R. and seizure list that one mobile phone has been recovered but it creates doubt specially when no any independent witness has been signed in seizure list. The allegation of theft of mobile phone is completely false, concocted and manufactured. The petitioner has no concern with the theft mobile phone. There is no any concrete evidence that petitioner has committed this offence. Accused-petitioner has three criminal antecedents and he is in custody since 24.10.2025. Accordingly, prayer has been made to allow the bail petition.

Per contra, learned A.P.P. appearing for the state assisted by the learned counsel appearing for the informant has opposed the prayer for bail.

Heard the both parties at length and perused the entire case record alongwith case dairy. From perusal of the case record it is evident that, investigation of this case has already been completed and at present prosecution case is running for evidence and accused-petitioner is in custody since 24.10.2025 and prosecution has not made clear as to what purpose will be fulfilled to keep the petitioner in judicial custody during the trial.

So having considered the above facts the bail petition is hereby allowed and it is ordered to release the petitioner namely Kunal Kumar, on bail on furnishing of bail bond of Rs. 10,000 with two sureties of the like amount each to the satisfaction of the court.

Addl. Sessions Judge-II
Katihar

Date of order	28.03.2026
Date of Reserving order	N/A
Uploading Date	02.04.2026
Uploaded By	Harshit Raj, Steno, D.A.S.J.-II, Katihar