

**In the Court of the District & Addl. Sessions Judge I, Sitamarhi.
Bail Petition No. 249/2026**

Gautam Kumar..... Petitioner.

Versus

State of Bihar O.P.

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ORDER

25.03.2026.

1 Heard the learned counsel, for the petitioner, **Gautam Kumar**, who is in custody since, 02.12.2015, in connection with Bathnaha P.S. Case No. 151/2025, registered u/s. 109(1), 309(4), 3(5) B.N.S. 2023 & 27 Arms Act. Also heard the learned Addl. P.P. for the State and perused the record.

2. Prosecution Story- On 25/03/2025 at about 5:30 PM, near Panthpakar Chowk, three unknown persons on an Apache motorcycle stopped informant Saroj Kumar at gunpoint and robbed his bag containing ₹2,90,000, a Lenovo laptop, and bank documents. While fleeing, one accused fired a shot, injuring a passerby. The informant suspects Gopal Kumar of village Rupauli and another associate in committing the offence.

3. It is submitted on behalf of the petitioner that he is not named in the F.I.R. and has been made accused in this case only on the basis of confessional statement of co-accused. It is further submitted that no incriminating article or illegal firearm has been recovered from the possession of the petitioner and no Test Identification Parade has been conducted in this case. It is also submitted that co-accused persons have already been granted bail by the learned court on the principle of parity. The petitioner is in judicial custody since 02.12.2025. It is further submitted that the petitioner has **no criminal antecedent** and there is no likelihood of his absconding or tampering with the prosecution evidence.

4. Considering the facts and circumstances of the case, nature of accusation, period of custody, non-naming of the petitioner in the F.I.R., absence of recovery from his possession, parity with co-accused persons and clean antecedent, this Court is inclined to allow the prayer for bail.

5. Accordingly, the petitioner **Gautam Kumar** is directed to be released on bail on furnishing bail bond of ₹15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of the learned lower court, subject to the conditions as laid down u/s 480(3) of the B.N.S.S

(Dictated & corrected)

Sd/-

(Rajiv Kumar),

District & Addl. Sessions Judge 1,

Sitamarhi.

Dated:- 25.03.2026