

In the Court of Sessions Judge, Vaishali

B.P. No. 567/2026

Gopi Kumar, aged about 22 years S/o Jitendra Sharma
Resident of village – Sant Nagar Ganj Tola, Ward No. 15, P.S. - Shankar Chowk,
District – Saharsa, At Present – Mohalla – Baghdulhan, P.S. - Hajipur Town, District –
Vaishali. :- Petitioner

Versus

State of Bihar :- O.P.

Appearance :-

Learned counsel for the petitioner : Md. Shahbaj Alam, Advocate

Learned P.P. for the State : Sri Shyam Babu Rai, P.P.

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 23rd. May 2026

The regular bail petition of the above named accused petitioner has been filed u/s 483 of B.N.S.S., who is in judicial custody since 08.04.2026 in connection with Hajipur Town P.S. Case No. 206/2026 for the offences u/ss.331(4) & 305 of B.N.S..

Heard the learned counsel for the accused petitioner and learned Public Prosecutor for the State and perused the record.

It is stated in Para 2 of the bail petition that earlier no bail application either anticipatory or regular has been filed on behalf of the petitioner before this court of sessions or before the Hon'ble High Court, Patna.

The case of the prosecution in brief, as per written report of informant Usha Kumari is that on 27.02.2026 she had gone to Muzaffarpur after locking his house situated at Hajipur. On 06.03.2026 in the evening at about 4 P.M. her cousin sister Munni Devi informed her on phone that lock of main door of her house has been broken. On such information when she came to his house at Hajipur at 7 P.M. she saw that locks of main door and lock of three rooms and locks of four Godrej were broken and all the articles kept in the house i.e. gold ornaments, clothes, silver payal, coins as mentioned in the written report and rupees Rs. 40,000/- were stolen away by unknown thief.

The learned counsel for the above named accused petitioner submits that the accused petitioner is innocent and has committed no offence. He has falsely been

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implicated in this case. Petitioner is not named in the F.I.R. and nothing has been recovered from his conscious possession. In fact, the petitioner alongwith others were arrested by the police in Hajipur Town P.S. Case No. 219/2026 illegally and recorded the confessional statement of co-accused Kishan Kumar @ Bedardi, in which his name has been included by the police. Except the said confessional statement there is nothing against the petitioner in this case. Petitioner has criminal antecedent of two other criminal cases as mentioned in Para 3 of this bail petition. Petitioner is in judicial custody in this case since 08.04.2026. Hence, prayer has been made for bail.

The learned Public Prosecutor for the State opposed the prayer for bail.

Heard both the parties and perused the trial record and the case diary. From perusal of the trial court record and the case diary, it transpires that it is a case of committing theft in the informant's house after breaking the lock. The petitioner is not named in the F.I.R.. The name of petitioner surfaced in the alleged occurrence on the basis of the confessional statement of co-accused Kishan Kumar @ Bedardi recorded in Hajipur Town P.S. Case No. 219/2026, in which he has confessed his guilt and has taken the name of the petitioner and others regarding their involvement in the present case. On the basis of the confessional statement of the co-accused Kishan Kumar @ Bedardi, the accused Raj Kishore Sah (owner of Shristi Jewellers) was apprehended and in his confessional statement as mentioned in Para 21 of the case diary, Raj Kishore Sah has confessed his guilt and has stated that theft was committed by Vishal Kumar, Ravi Kumar, Gopi Kumar (petitioner), Md. Imran, Kishan Kumar @ Bedardi and the stolen gold and silver jewellerys were sold by them to him. Para 25 of the case diary shows that melted gold was recovered from the Shristi Jewellers shop of Raj Kishore Sah. Petitioner has criminal antecedent of **two** other criminal cases as mentioned in Para 3 of this bail petition. Petitioner is in judicial custody since 08.04.2026.

From the trial court record, it appears that the co-accused Rajkishore Sah has already been granted bail by the learned trial court vide order dated 19.03.2026.

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Therefore, considering the aforesaid facts, circumstances of the case and nature of the allegations as well as detention period of the petitioner, his prayer for regular bail is allowed and accordingly, the above named accused petitioner is directed to be released on bail, on furnishing bail bond of Rs.10,000/- with two sureties of the like amount to the satisfaction of the learned court below, subject to the **further conditions that :**

(i) The petitioner will not indulge in any kind of such offence and shall appear and report to S.H.O. of concern police station on first week of the every month for a period of one year regarding his activity after being released from custody.

(ii) The petitioner will not delay the disposal of trial in any manner what so ever and will remain physically present for framing of charge and at the stage of recording of statement under section 351 of B.N.S.S.

(iii) The petitioner would not repeat similar type of offence in future.

In case of breach of any of the aforesaid conditions, learned Court concern will be at liberty to cancel the bail and send the petitioner to prison.

Before accepting the bail bonds of the petitioner, the learned Trial Court is requested to ensure that a copy of this order be sent to the S.H.O. of concern P.S. with direction that, the concern S.H.O. will inform the learned Court if the petitioner fails to appear before him in any month as specified in aforesaid condition.

(Dictated)

(Harshit Singh)
Sessions Judge, Vaishali.

Date of Order	23.05.2026
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