

IN THE COURT OF THE PRINCIPAL DISTRICT & SESSIONS

JUDGE, AURANGABAD

B.P No.260/2026

Arising out of Mufassil P.S. Case No.439/2025

Present:- Rajeev Ranjan Kumar, Sessions Judge, Aurangabad (Bihar)

Md. Kaif, aged about 19 years, S/o Jalaluddin, R/o Ali Nagar, P.S-Town
Aurangabad, Aurangabad Bihar

... Petitioner(s)

Versus

The State of Bihar

...Opposite Party(s)

Appearance :

For the Petitioner(s)

:

Sri Md.Merajussalm

For the State

:

Sri Ajay Kumar, P.P

13.03.2026

The petitioner, who has been undergoing judicial custody since 16.01.2026, preferred this application for grant of regular bail in connection with Mufassil P.S. Case No.439/2025 instituted for the offence u/s 303(2) of the Bharatiya Nyaya Sanhita, 2023. A copy of the bail petition has been served upon the Id. P.P. for the State

An FIR against unknown has been lodged by the informant Ravi Kumar alleging therein that he had parked his motorcycle bearing Registration No. BR 26U 5927 in front of Ticket Counter of Jaiv Vividhata Park, Bharkut from where it got missing on 27.11.2025

Learned counsel for the petitioner has submitted that the petitioner is quite innocent and he has been falsely implicated in this case. No incriminating material has been recovered from the possession of the petitioner. It is lastly submitted that the petitioner has been languishing under judicial custody since 16.01.2026. It is therefore prayed that the petitioner be released on bail.

On the other hand, learned P.P. for the State opposed the prayer for grant of bail to the petitioner.

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Heard learned counsel for the petitioner and learned P.P. for the State.

The court has perused the FIR and the case diary. At para 58, 64, 65 and 66 of the case diary there are statement of witnesses who have supported the fact that the petitioner along with the other persons had come to the place of spot to steal a motorcycle and in the execution to carry out their desire, they had stolen the motorcycle of the informant. It is mentioned at para 67 that there is a video footage in which the petitioner is seen that he had taken away one pulsar motorcycle on dated 27.11.2025 and one Apache motorcycle on dated 09.12.2025. The aforesaid video footage was having hash value and certificate which is mentioned at para 70 of the case diary. At para 79, there is a confessional statement of the petitioner. At para 105, it is mentioned that petitioner is having no criminal antecedent.

Considering the fact that stolen motorcycle has been recovered as it is mentioned at para 25 of the case diary and the petitioner has been undergoing judicial custody since 16.01.2026 in the present case, apart from the fact that he is having clean antecedent. hence, bail petition filed on behalf of the petitioner is hereby **allowed** subject to furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below.

However it is directed that if the petitioner is found involved in similar nature of offence, the prosecution will be at liberty to move for cancellation of bail bond.

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)