

IN THE COURT OF SESSIONS JUDGE, BANKA

Bail Petition No. 209 of 2026

Date of filing : 24.03.2026

Date of order : 04.04.2026

*Md Sabnawaz @ Sunny, age 20 years, son of Md Gulzar @ Juber @ Sonu,
resident of village Douna, police station Amarpur, district Banka*

..... Petitioner

-Versus-

State of Bihar

.....Opposite Party

*Present :- Sri Abhishek Kumar, Advocate for the Petitioner
Sri Hira Lal Singh, Public Prosecutor for the State*

ORDER

1. *Yearning for an order of emancipation the bail petition has been filed by the petitioner, who is booked in Amarpur Police Station Case No. 893 of 2025, corresponding to G.R. No. 4236/2025, for the offence allegedly committed under Sections 317(5) of BNS and is confined in jail since 21.12.2025.*

2. *In the nutshell, the case of prosecution is engendered upon a gravamen filed by one Dilip Ram, Police Sub-Inspector of Amarpur police station with the submissions that on 10.12.2025, at 17:05 hours, upon a secret information that Md. Faizan son of Jubair of village Dauna along with his two to three associates was at home with stolen motorcycle; a raid was conducted. By seeing the police party Md. Faizan and his associates managed to escape from spot. He recovered three motorcycles, which were parked in front of the house of Md. Faizan. Upon inquiry from Md. Faizan's sister Bibi Marium Khatoon, she disclosed that the motorcycle bearing reg. no. BR10H4307 was being used by her brother Md. Faizan. The motorcycle bearing reg. no. WB10D0981 was being used by Md. Sunni. The motorcycle without number plate was being used by Md. Afridi. None came ahead to claim for the motorcycles. Accordingly, all the motorcycles were seized.*

3. *In oral arguments, the learned counsel for petitioner submitted that the*

accused is confined in jail since 21.12.2025. The petitioner is having two criminal antecedents. It is further submitted that co-accused Md. Afridi has been ordered to be emancipated on bail vide B.P. No. 73 of 2026 and the case of the present petitioner is on similar footing.

4. In counter, learned Public Prosecutor for the State stoutly opposed the bail application on the ground that petitioner is having two criminal antecedents.

5. Heard rival submissions and perused the record. The records reveals that earlier the bail application of this petitioner was declined for concealing his criminal antecedent. The accused/petitioner is confined in jail since 21.12.2025 and he has sufficiently been punished. Nothing has been recovered from conscious possession of the present petitioner and co-accused Md. Afridi has been ordered to be emancipated on bail by this very court vide order dated 23.02.2026, passed in Bail Petition No. 73 of 2026. Therefore, keeping in view the above facts as well as period of custody, this court is inclined to emancipate the petitioner on bail; resultantly, the bail application is allowed. Petitioner-accused is ordered to be emancipated on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of trial court. Out of the two sureties, one will be of the same village or close relative of petitioner.

6. File be consigned to the record room and that of trial court be sent back with a copy of this order.

7. Keeping in view the General Order no. 1 of 1991 (Criminal) dated 07.03.1991, the certified copy of FIR, if desired, be returned back to the petitioner on placing the xerox copy thereof on record.

(Dictated)

Sd/-

(Satya Bhushan Arya)

Sessions Judge, Banka

04.04.2026

Memo No..... Banka, Dated, the 4th April, 2026.

Copy forwarded to learned CJM, Banka for information and needful.

*Administration In-charge
Civil Court, Banka*