

The Court of District & Additional Sessions Judge-III, Begusarai

A.B.A No. 1118 of 2026

Arising out of F.C.I P.S Case No. 11 of 2026

Rohit Kumar, S/o-Shailendra Das
R/o-Village-Ward No. 20, Hemra Road Near B.P High School, Baiju Bhawan
P.S-Ratanpur, District-Begusarai.

.....Petitioner

Versus

The State of BiharOpp. Party

Present :

: Sri Niraj Kumar, Ld. Counsel for the accused/petitioner
: Sri Dilip Kumar, Ld. Addl. P.P for the State

17.06.2026

1. This is the second anticipatory bail application filed by and on behalf of the above named accused/petitioner in connection with **F.C.I P.S Case No. 11 of 2026** for having committed offences punishable under sections **303(2), 3(5) of B.N.S** as he is apprehending his arrest in this case. The earlier anticipatory bail application being No. 368/2026 of the petitioner was dismissed as withdrawn by this court.
2. It is submitted by the Ld. Counsel for the petitioner that the petitioner is innocent and has not committed any offence and has falsely been implicated in this case due to ill motive of police personnel and informant and no any other bail petition in connection with this case has either been filed by the petitioner in this court or before the Hon'ble High Court, Patna. The petitioner is having one criminal antecedent vide 1. Barauni (Zeromile) P.S Case No. 145/2025 U/s-305, 331(4) of B.N.S. It is further submitted that the informant has given the name of one accused in the FIR as Rohit Kumar, S/o-Ram Kumar Singh though the petitioner does not know either the informant or Ram Kumar Singh as mentioned in the FIR as the father of the petitioner. It is further submitted that the I.O of this case inserted the name of the petitioner for the first time in para 123 of the case diary with different father's name and address as mentioned in the FIR. It is further submitted that the petitioner is neither the son of Ram Kumar nor he is resident of village-Papraur and he has no shop of scrap at village-Papraur and the whole responsibility of theft of the vehicle of the informant is upon Sikandar Kumar, who is owner of the parking place. Lastly, a prayer is made to grant anticipatory bail order in favour of the petitioner as the petitioner is ready to abide by the condition stipulated U/s-438(2) of Cr.P.C or 482(2) of B.N.S.S.
3. On the other hand, the learned Addl. P.P opposed the prayer of the petitioner and submitted that there is allegation of theft of the vehicle against the petitioner and the petitioner was instrumental in executing the entire incident and at his instance the stolen vehicle was brought to Darbhanga for dismantling. Further the petitioner has blemish criminal past and the I.O of this case after proper verification of the name and address of the petitioner inserted the correct address and father's name of the petitioner in the case diary and the same is reflected in para No. 123 of the case diary. Moreover, the investigation is still going on in this case, therefore, the petitioner does not deserve anticipatory bail order in his favour.
4. The case of the prosecution in brief is that the informant Arvind Singh lodged a complaint before the SHO, in which he has alleged that on 15.01.2026 his truck bearing no. BR 01 GC-2982 was parked at parking stand of Sikandar Kumar. The keys of his vehicle was with the driver Jitendra Yadav and along with Jitendra Yadav, Awdhesh Kumar and Rohit Kumar have stolen the vehicle of

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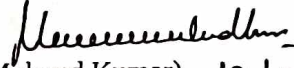
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the informant. On 30.01.2026 when the informant along with his son-Mukund Kumar reached at the said parking stand for renewal of the insurance of the said vehicle, then they found that their vehicle is missing from parking stand. Further the informant has alleged that his vehicle was connected with his son's mobile phone through GPS, but the vehicle could not be traced out due to damage of the mobile.

5. From perusal of contents of FIR, it is apparent that the petitioner is named in the FIR. Record further reveals that it is at the instance of petitioner the stolen truck was taken to the scrap shop of co-accused namely Hajum Khan from where some parts of stolen truck bearing registration No. BR 01 GC-2982 were recovered. Record further reveals that during the investigation, it has come to the fore that it is the petitioner who fixed the price at which the stolen truck was to be sold. Moreover, there is no plausible explanation coming forth with respect to false implication of the petitioner by the police in this case.
6. It is further pertinent to point out that while dealing with the anticipatory bail plea the court must evaluate the threat or apprehension of arrest vis a vis the nature and gravity of accusation, criminal antecedent of the accused, false or exaggerated implication, need of custodial interrogation, willing of the accused to cooperate the investigation and conduct of the accused.
7. In the light of the aforesaid discussion and also keeping in mind, the serious accusation against the present petitioner as well as to unearth the entire nexus and to collect the material evidences, the custodial interrogation of the petitioner may be required. Thus, this court is of the view that the petitioner has failed to make out a case for grant of anticipatory bail order in his favour. Accordingly, the instant anticipatory bail petition is hereby **rejected**.

Dictated


(Mukund Kumar) 17/06/2026
District & Additional
Sessions Judge-III, Begusarai

Date of Order	17.06.2026
Date of reserving Order	16.06.2026
Uploading Date	29.06.2026
Uploaded by	Bhagendra Kumar