

In the court of Manoj Kumar-V
District & Additional Sessions Judge-XI, Begusarai

A.B.A. No. 1229 of 2026

Naokothi P.S. Case No. 81/2026

Krishna Kumar and 01 Another vs State of Bihar

01.08.2026 – This anticipatory bail application has been filed on behalf of the petitioners, **1. Krishna Kumar @ Chotu Kumar & 2. Kanhaiya Kumar**, in Naokothi P.S. Case No. 81/2026, registered u/s- 303(2), 3(5) of B.N.S.

The case of prosecution case in brief is that one informant namely Sanjay Pandit gave a written application to the S.H.O Nawkothi stating there in that on 24-02-26 he went to Dr. Sandhya Kumari at Begusarai for treatment to his wife and return back on 06-03-2026 and saw the Kundi of box was broken and all the ornaments of his wife, Nathiya, tika, Baali, Mangalsutra, Top, Jitiya, Chakti of Golden, Jhumka, Payal, Sikri, Baliya were theft by the unknown persons alongwith cash of Rs. 32,000/-. The persons who involved in theft of the ornaments Kanhaiya Kumar, Rohit Kumar, Krishna Kumar @ Chhotu Kumar. All the accused persons sold the thefted articles with the help of the Rahul Kumar. The said information has been given by Aman Kumar to Ramprit Kumar on mobile phone. Chotu Kumar @ Krishna Kumar name was also seen on mobile. Rohit Kumar was also involved in the incident. The said articles were sold in the shop of Amrita Jewellers Nawkothi near UCO Bank by the accused persons from which they got Rs. 3,500/-. The proof of involvement of the accused persons are kept in a Pen Drive. So, this case.

The Ld. counsel for the petitioners submitted that the petitioners are quite innocent and have not committed any offense and have been falsely implicated in this case due to suspicion. That earlier on behalf of these petitioners no A.B.A. has been filed either before this Id. Court or Hon'ble High Court, Patna. That the petitioners have no criminal antecedent. That no any theft articles have been recovered from the conscious possession or premises of these petitioners. That the petitioners were not present at the place of occurrence. That the petitioners no concern with the seized articles or other co-accused. That there is no any cogent evidence against these petitioners. Lastly, he prayed to enlarge the petitioners on anticipatory bail.

The Ld. A.P.P. has vehemently opposed the prayer of anticipatory bail.

Heard Ld. Counsel for both the sides and perused the record alongwith case diary. On perusal of F.I.R., it appears that the petitioner is named in the F.I.R. There is allegation the petitioners of looting the jewelries and cash of Rs. 32,000/- from the house of informant. On perusal of the CD, it appears that statement of the informant has been recorded at para 06 of the CD. Witnesses at para 07, 08 & 09 have supported the case of prosecution. At para 16, the statement of Amrita Jewelers's owner has been

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Contd...01.08.2026

Page No. 02

recorded in which he denied the selling of any theft jewelries by the above named accused persons. At para 26, after searching the house of the named accused, no any theft articles have been recovered. At para 30, no other case pending against the petitioners. There is no any cogent evidence of involvement in the loot against these petitioners in the case diary. Moreover, all the offences alleged against the petitioners carries a punishment of less than 07 years and there is absence of mandatory notice u/s- 35(3) of BNSS within 14 days of the registration of FIR. CDR reports of the alleged no.s of accused are still not available. Investigation is still going on.

In the light of facts and circumstances discussed above, I am inclined to grant them the privilege of anticipatory bail. Accordingly, their prayer is hereby **allowed**. The petitioners are directed to be released on anticipatory bail in event of their arrest or surrender within a fortnight from the date of receipt of this order on furnishing of bail bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the Ld. Court below on following conditions:

1. **One of the bailors should be close relative.**
2. **The petitioners shall file an undertaking to not to be indulged in offence of similar nature in future.**
3. **The petitioners shall remain physically present as per the direction of Ld. Lower Court.**
4. **The petitioners shall abide by as per s. 482(2) of B.N.S.S.**

(Dict. & Corrected)

Sd/-

District & Addl. Sessions Judge-XI
Begusarai

Date of Order	01.08.2026
Date of Reserving Order	N/A
Uploading Date	07.08.2026
Uploaded by	Shailesh Kumar

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Copy of this order is being forwarded to the court of Ld. Pappu Pandit,
J.M.Ist Class, Begusarai for information.

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