

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI

B.A. No. 731/2026

Ref:- Arising out of Town P.S Case No. 147/2026

Dt: 22.03.2026

U/S- 304(2), 238 of B.N.S.

In the matter of :-

**Anil Sah, S/o- Late Mahendra Sah, R/o Vill.- Bagha, Ward No. 24, P.S.-
Lohianagar, District-Begusarai**

.....Petitioner

Vrs.

State of Bihar

....Opposite Party

Present:- Rishi Kant

Principal Sessions Judge, Begusarai

Ld. Counsel for the petitioner: -Sri Rajesh Ranjan Das, Adv.

Ld. Counsel for the O.P. :- Ld. P.P. I/C

Date of order:-04.06.2026

ORDER

The present bail petition has been filed on behalf of above named accused/petitioner who is in custody since 24.03.2026 in connection with above mentioned case registered u/s 304(2), 238 of B.N.S and the same has been put up for hearing.

Heard Learned Counsel Sri Rajesh Ranjan Das appearing on behalf of accused/petitioner and Ld. P.P. I/C for the State.

The prosecution case, in brief, is that informant alleged that on 22.03.2026 at about 12.00 P.m. she was going to bus stand at her relatives house then near fruit market she was sitting on tempo then one person came from behind and snatched her earrings. With the help of people accused was caught on the spot. Accused swallow their earrings. During inquiry he disclosed his name as Anil Sah. Accordingly, the present case has been registered.

The Ld. Counsel appearing on behalf of accused/petitioner submitted that no B.A. or A.B.A. has been filed by the accused either before this court or before the Hon'ble High Court Patna. It is further submitted that the petitioner is quite innocent and has not committed any offence and nothing has been recovered from his possession. It is further submitted that on the date of occurrence the petitioner was going to market when he reached near Traffic Chowk the police arrested him. It is further submitted that the petitioner has two criminal antecedents vide 1. Barauni Rai, P.S. Case No. 56/2022, 2. Barauni Rai, P.S. Case No. 29/2021. The petitioner is in custody since 24.03.2026 and he is willing to abide all the conditions imposed by the court, so he may be released on bail.

Per contra, the learned P.P. I/C appearing on behalf of the State vehemently opposed the prayer for bail.

Heard the learned counsel for the petitioner, and the learned APP for the State. Perused the case diary, the Lower Court Records (LCR), and the materials available on record. As per the allegations made in the F.I.R., the petitioner is accused of having snatched the earrings of the informant. Upon perusal of the case diary, it appears that the informant, in her statement recorded in paragraph 6, as well as the witnesses whose

statements have been recorded in paragraphs 7, 8, and 9, have fully supported the prosecution case. It further transpires from the materials available on record that the accused-petitioner was apprehended immediately after the occurrence at or near the place of occurrence. During the course of investigation, the petitioner was medically examined and subjected to an X-ray examination. The medical report revealed the presence of the stolen earring inside the body of the accused, which he had allegedly swallowed in an attempt to conceal the incriminating article. Subsequently, the said earring was recovered. Moreover, the case diary discloses that in his statement recorded in paragraph 28, the accused-petitioner admitted his involvement in the commission of the alleged offence. Further as per paragraph 3 of the bail petition the petitioner has two criminal antecedents, vide 1. Barauni Rai, P.S. Case No. 56/2022, 2. Barauni Rai, P.S. Case No. 29/2021. Both the aforesaid cases are stated to be of a similar nature, indicating a tendency on the part of the petitioner to indulge in such offences and suggesting that he is a habitual offender.

Considering the nature and gravity of the accusation, the recovery of the stolen article from the petitioner, his apprehension immediately after the occurrence, his statement admitting involvement in the alleged crime, and his criminal antecedents, this Court is of the considered opinion that the petitioner does not deserve the privilege of bail at this stage. Accordingly, the prayer for bail is rejected.

(Dictated)

Sd/-

(Rishi Kant)

Principal Sessions Judge, Begusarai

Date of Judgment/Order	04.06.2026
Date of Reserving Judgment/Order	N.A.
Uploading Date	05.06.2026
Uploaded by	Rahul Verma