

IN THE COURT OF SRI DEEPAK KUMAR-I, ADDITIONAL SESSIONS JUDGE- II, BHAGALPUR

Anticipatory Bail Petition No. 567/2026

(Arising out of **Sultanganj P.S. Case No. 36/2020**)

U/s 379, 411 IPC.

Shubham Kumar Mandal, age 26 years, S/o Bindeshwari Mandal @ Botali Mandal

.....**Petitioner**

Versus

The State of Bihar

.....**Opp. Party**

For the Petitioner/s : Mr. Amit Kumar, Ld. Advocate.

For the State : Mr. D.N. Sahay, Ld. A.P.P.

Date of order	Order with signature of the court
1	2
20-05-2026	This is a petition filed on behalf of the above named accused-petitioner for grant of anticipatory bail who apprehension his arrest in connection with Sultanganj P.S. Case No. 36/2020 for offences punishable U/s 379, 411 IPC. On behalf of the petitioner a certificate has been given in bail petition that earlier ABP No. 154/2021 and ABP No. 345/21 which were withdrawn and thereafter no anticipatory or regular bail petition has been filed on his behalf either before the Court of the Ld. Principal Sessions Judge, Bhagalpur or before the Hon'ble High Court, Patna. In para-vi of bail petition, accused-petitioner has given certificate that he has no criminal antecedent. As per the case of the prosecution, informant has given written application before the SHO of Sultanganj P.S. In the application it is alleged that on 18.02.2020 at about 01:00 hrs, the motorcycle of the informant bearing registration number BR 10W-7938 has been stolen in front of the shop of one Jhari Sah. The photo of the theft has been captured in the CCTV and the name of the thieves are Shubham Kumar Mandal, Siko Mandal @ Sikandar Mandal, Sogi Kumar and Pawan Mandal. Hence, this FIR is lodged. The learned counsel for the petitioner submitted that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. It has further been submitted that the petitioner is a casual labour and he used to come out from his house in the moving hours and return in the evening hours, after arrival at this house manage for bread and butter, no time to see the other matter and informant of this case who is self litigants and he is also the same villager and time of occurrence has not mentioned by him and case lodged after sufficient delay and nothing has been recovered from the possession of this accused-petitioner and petitioner has involved in this case merely on the basis of suspicion and informant has not seen motorcycle and no stolen article for which the seizure list has been prepared, does not bear the LTI or signature over it. On such basis, it has been prayed that petitioner be enlarged on anticipatory bail. On the other hand, learned Additional Public Prosecutor for the State opposed the prayer

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Contd...P/2 20-05-2026	for anticipatory bail of the petitioner. Heard both the parties. Heard both sides and perused the record as well as case diary and on perusal the same it transpires that there is allegation against this accused-petitioner that he alongwith miscreants have theft the motorcycle bearing Reg. No BR 10W 7938 of informant from in front of shop of Jhari Sah. Para-11 of the case diary reveals that the theft motorcycle of the informant has been recovered from the house of this accused-petitioner (Shubham Kumar). Para-3 of the case diary is the restatement of informant who reiterated the prosecution case. Para-6, 7, 8, 13 and 14 of the case diary are the statements of witnesses who have also supported the allegation levelled against him. Para-110 of the case diary is the supervision note which reveals that police has found the case true against this accused-petitioner. Further, investigation against this accused-petitioner is still pending. Keeping in view the nature of the offence, complicity & conduct of the accused petitioner, severity of punishment and submissions of the learned counsel for the parties, the allegation against the petitioner is serious in nature. So, I am of the view that applicant/petitioner does not deserve for anticipatory bail. Accordingly, his prayer for anticipatory bail is hereby Rejected. Sd/- Additional Sessions Judge-II Bhagalpur
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