

In The Court of Additional Sessions Judge - XIII, Bhagalpur
B.P. No. - 285/2026
[Arising out of Lodipur P.S. Case No.40/2026]

Md. Sonu

..... **Petitioner**

Vrs.

The State of Bihar **Opposite party**

ORDER

07.04.2026 This Regular Bail Petition has been filed by Ld. Counsel on behalf of petitioner **Md. Sonu** on 17.03.2026 who is in judicial custody since 01.03.2026 in connection with **Lodipur P.S. Case No.40/2025**, u/s- **305 B.N.S.** which is pending in the court of ld. SDJM, Bhagalpur. A copy of this regular bail petition has been served to Ld. A. P. P. for the State.

2. Heard Md. Irfan Ali learned counsel on behalf of the petitioner and the learned A.P.P. Sri Manoj Kumar on the B.P.

3. The learned advocate appeared on behalf of accused person has submitted that no other anticipatory or regular bail petition has been filed on behalf of the petitioner either before the court of the Ld. Sessions Judge, Bhagalpur or before the Hon'ble High Court, Patna except this Regular bail petition. The petitioner is innocent, he has committed no offence as alleged in the F.I.R. The petitioner is in judicial custody since 01.03.2026. It is argued that the petitioner is implicated in this case only on suspicion. The petitioner is very poor and only earning member of his family. There is no criminal antecedent against the petitioner. The petitioner is ready to abide all the terms and conditions which will be imposed by the court and he is ready to furnish bail bond with sufficient sureties as per direction of the court. Prayer has been made that regular bail petition of the petitioner be allowed.

4. Learned A.P.P. has opposed the prayer for regular bail of the petitioner. He has said that there is sufficient materials available on the case record against the petitioner. Prayer has been made to dismiss the bail application of the petitioner.

5. As per informant Sarvesh Kumar prosecution story in brief is that on the night of 22.02.2026, while his family were busy in wedding preparations, a vivo mobile phone and Rs.50000/- cash were stolen from his house. The informant has identified the accused Md. Rahul from CCTV footage. Hence, the FIR was registered.

6. Heard Ld. counsel for both the sides and perused the record. The prosecution's case is based on occurrence of theft that occurred on 22.02.2026, where a mobile phone and cash of Rs.50,000/- were stolen from the informant's residence. From perusal of para-10 of the case diary, it appears that the name of petitioner surfaced during investigation on the basis of the statement of co-accused Md. Rahul, who alleged that the stolen property was kept with the petitioner. Para-12 of the case diary states that one Vivo mobile phone was recovered from the residence of petitioner. However, defence version is that the said mobile phone was purchased by the petitioner for Rs.5000/- from a local shop. As per para-14, the petitioner has **no prior criminal antecedent**. The petitioner is in judicial custody since 01.03.2026.

7. Therefore considering the fact that there is no criminal antecedent against this petitioner and he has been in custody since 01.03.2026, I am of the opinion to allow the prayer of regular bail. Hence, the prayer for bail of the petitioner **Md. Sonu** is hereby **allowed** on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each with following conditions :-

- (a) The petitioner will not influence or temper with the evidence and shall co-operate in the trial.
- (b) The petitioner will file undertaking that he will not repeat such kind of offences in future.

Copy of the order be sent to the concerned court for information and needful.

(Dictated & corrected by me)

Sd/-
PRASHANT KUMAR JHA
Addl. Sessions Judge - XIII,
Bhagalpur
07.04.2026

Memo:_____ Dated_____

Copy forwarded to the court

of_____ for information and needful.

DASJ-XIII
Bhagalpur