

In the Court of District & Addl. Sessions Judge , Biraul , Darbhanga.

Present

**Sri Shiv Kumar
District & Addl. Sessions Judge- Biraul**

Biraul, dated, 02 April, 2026

Bail Petition no. 71/2026

Mantosh Paswan

.....Petitioner.

Versus

The State of Bihar

.....Opposite Party

Counsel for the petitioner :- Sri Gazanfar Ali Khan, Ld. Advocate

Counsel for the State :- Sri Bachcha Rai, Ld. APP

ORDER

02.04.2026 The present bail petition has been filed on behalf of petitioner namely 1.Mantosh Paswan, S/o Hulan Paswan who is in judicial custody since 25.02.2026 in connection with Biraul P.S. Case No- 115/2026, for offence u/s 303(2), 317(5), 3(5) of BNS which is pending in the Court of Ld. ACJM-I, Biraul, Darbhanga.

Heard Sri Gazanfar Ali Khan, the Ld. Counsel for the petitioner and Sri Bachcha Rai, Ld. APP on behalf of the State.

The prosecution story in short is that, the informant, is the owner of garage situated at 17 number road in front of Nirmal Bhawan on 23.02.2026 Niket Kumar Singh took TVS motorcycle of the informant bearing Reg. No. BR7F8270 and could not return on the same day. It has been further alleged that at about 7 PM according to daily routine the informant locked the garage and went to his house. On 24.02.2026 at about 9 AM the informant came at his garage and found his bamboo gate broken from behind and machinery parts were stolen. On enquiry the informant could know that engine of his motorcycle was also sold by Niket Kumar Singh. Near Kothi Pool on query by the informant, Niket Kumar Singh admitted that with the help of Rohit Kumar Singh articles from garage were taken away by Toto rickshaw and sold in

different places. It has been further stated that Niket Kumar Singh was handed over to the police Biraal and engine of the motorcycle was also recovered.

The Ld. Counsel for the petitioner submits that the petitioner has not committed any offence and he is quite innocent. The petitioner has falsely been implicated in this false case. For that the above named petitioner who is in judicial custody since 25.02.2026 and sufficiently punished of offence that he has not committed. That no such occurrence did ever take place as alleged in FIR. That no case u/s 303(2), 317(5) of BNS is applicable in this case against the petitioner. That the petitioner has been arrested by the police merely or suspicion. That no stolen property had been recovered from the conscious possession of the petitioner. That the petitioner is in business of kabari situated near by Kotharam, Chowk so purchased the kabari object and sell it to beg businessman of kabari for past about 12 to 15 years. For that the petitioner is man of means and not likely to abscond and is ready to furnish the bail bonds to the satisfaction of the court, as such there is no chance of their absconding. So, it is prayed that accused person may be enlarge on bail.

On the other hand Ld. APP appearing for the State opposed the prayer for bail of the petitioner.

Heard, Submissions of both parties and perused the record and considering the discussion made above. The petitioner accused has been remanded on 25.02.2026 on the basis of the petition filed by the I.O., the petitioner has got no criminal antecedent as stated by the Ld. Counsel for the petitioner. From the perusal of record it has been found that this petitioner has made accused on the basis of the confessional statement of Niket Kumar Singh before the police. Considering no criminal history, submissions made by the Ld. Counsel for the petitioner and the facts as well as other facts and circumstances of the case, the the present bail petition of the petitioner namely 1.Mantosh Paswan, S/o Hulan Paswan, BP is hereby **Allowed**. 1.Mantosh Paswan, S/o Hulan Paswan, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(Rs. Ten Thousands/-) with two sureties of the like amount each to the satisfaction of the court in connection with Biraal P.S. Case No- 115/2026.

(Dictated and Corrected)

(Shri Shiv Kumar)

District & Addl. Sessions Judge
Biraal
02.04.2026