

**In the Court of Sessions Judge, East Champaran at Motihari.**

**Present:-**

**Abhishek K. Das,  
Sessions Judge,  
East Champaran at Motihari**

**Bail Petition No. 500 of 2026**

**1. Bikau Kumar, S/o- Bindeshwar Mahto, aged about 25 years**

Resident of village- Marar, P.S.- Belsand, District- Sitamarhi

----- **Petitioner**

**Versus**

**The State of Bihar**

----- **Opposite party.**

**Counsel for the Petitioner :- Sri Arun Kumar -II, Advocate.**

**Counsel for the State :- Sri Khublal Prasad, Public Prosecutor**

**17-03-2026**

This bail petition is filed on behalf of the petitioner-accused Bikau Kumar, who is in custody since 13-12-2025 in connection with Dumariyaghat P.S. Case No.344 of 2025 for the offence u/s 303(2), 111, 112, 313, 317(4), 317(5) and 3(5) of the B.N.S.

The prosecution case, in brief, is that the informant is owner of a truck bearing its registration No.BR06 GD9624. In the night of 07-12-2025 between 09:00 to 10:00 P.M. the driver of truck, namely, Kapildeo Rai parked the truck loaded with sand, near Lalan Dhaba at Semuapur and gone to have meal. Thereafter, when the truck driver came back, he did not find his truck at the parked place. The informant had installed GPS in his truck, but on check, the same was found off.

**In para-2 of the bail petition, it is mentioned that no other regular or anticipatory bail petition has been filed earlier either in this Court or before the Hon'ble High Court, Patna. In para-3 of the bail petition, it is mentioned that petitioner has two criminal antecedents vide (1) Vishunpur (Darbhanga) P.S. Case No.141 of 2024 and (2) Jalalpur P.S. Case No65 of 2025. In para- 4 of the bail petition, it is mentioned that petitioner is in custody since 13-12-2025.**

The learned counsel for the petitioner-accused has submitted that the petitioner-accused is innocent and he has committed no offence, as alleged and has falsely been implicated in this case on mere suspicion. It is further submitted that

the petitioner was neither arrested on spot nor any stolen article has been recovered from his conscious possession. Co-accused persons have been granted regular bail by this Court vide B.P. No.164 of 2026 and 436 of 2026.

The learned Public Prosecutor appearing on behalf of the State has opposed the prayer for bail.

Heard both sides and perused the certified copy of F.I.R. as well as case diary. As per F.I.R., there is allegation that some unknown thief has stolen the truck of informant. As per case diary, the petitioner along with others have stolen the truck of informant and parked the truck at village Beladam Chooripatti, district-Vaishali and at the instance of petitioner and others, the police party reached there and recovered parts of stolen truck, as mentioned in para-50 of the case diary. As per para-3 of the bail petition and para-87 of the case diary, petitioner has total three criminal antecedents. As per para-104 of the case diary, charge-sheet has been submitted against the petitioner. The petitioner has not been arrested with any incriminating article and two co-accused persons have been granted regular bail by this Court vide B.P. No.164 of 2025 and 436 of 2026 and case of petitioner stands on similar footing.

Considering all these facts as discussed above, this bail petition is **allowed**. Accordingly, the petitioner-accused **Bikau Kumar** is ordered to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below in the aforesaid case subject to following conditions:

- (i) that the petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below,
- (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife,
- (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court

below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse,

- (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail, and
- (v) that the petitioner within two weeks from the date of his release from custody shall appear before the SHO of his local area along with a copy of this order and thereafter shall appear before him every fortnightly to mark his attendance till the framing of charge in the case by the trial Court.

**(Dictated)**

Sd/-

**Sessions Judge  
East Champaran at Motihari  
17-03-2026**