

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

**Present:-**

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

**Bail Petition No. 632 of 2026**

**Umar Alam, aged about 24 years, S/o- Jakir Hussain.**

R/o village -Bhopatpur Kaswa, P.S. Bhopatpur, District- East Champaran.

-----**Petitioner.**

**Versus**

**The State of Bihar**

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

**Counsel for the Petitioner :- Dr. Adhir Kumar, Advocate.**

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

**26.03.2026**

This bail petition is filed on behalf of the petitioner, namely, Umar Alam, who is in judicial custody since 14.02.2026 in connection with Bhopatpur P.S. Case No. 30/2026 u/s 317(5), 338, 336(3) and 3(5) of Bharatiya Nyaya Sanhita, 2023.

**In para-2 of the bail petition, it is mentioned that no other bail petition either anticipatory or regular has ever been filed on behalf of the petitioner either in this Court or before Hon'ble Patna High Court. As per para-3 of the bail petition the petitioner has no criminal antecedent. As per para-4 of the bail petition the petitioner is in judicial custody 14.02.2026.**

As per F.I.R. during course of vehicle checking, police intercepted Rohit Kumar and Umar Alam (petitioner) alongwith motorcycle bearing registration no. BR05U-5357. On being demand of paper of motorcycle, they did not produce any paper and have stated that the said motorcycle is stolen one. On verification by HHD electronic machine, it was found that a case bearing Patahi P.S. Case No. 246/2018 is registered for theft of said seized motorcycle. On further verification by HHD electronic machine, it was also found that the engine number and chassis number of seized motorcycle was not matched with the details given in the machine by entering the registration number of the said motorcycle. Accordingly, seizure list was prepared and the petitioner and another co-accused were arrested by the police.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has committed no offence. The petitioner, being a layman, had no reason

**26.03.2026**

**Continued**

to doubt the title of the seller, and the purchase was made in good faith for valuable consideration. The prosecution has failed to collect any material showing meeting of minds, dishonest intention, or prior knowledge on the part of the petitioner regarding the alleged theft.

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

Heard both sides and perused the record. From perusal of the record, it transpires that the petitioner was arrested at the spot alongwith stolen motorcycle of Patahi P.S. Case No. 246/2018 and police has also found mismatched chassis and engine number of the seized motorcycle. As per para-3, 4, 5 of the case diary, the informant in his restatement and the witnesses have corroborated the version of F.I.R. and supported the prosecution case also. As per para-3 of the bail petition and para-11 of the case diary, the petitioner has no criminal antecedent. As per para-14 of the case diary, investigation is under progress.

In the facts of the case as discussed above and keeping in view nature of allegation and recovery of stolen motorcycle from the possession of the petitioner as well as ongoing status of investigation, I am not inclined to enlarge the petitioner on bail at this stage. Accordingly, the prayer for bail of petitioner, namely, **Umar Alam** stands **rejected**.

The petitioner will be at liberty to renew his prayer for bail after framing of charge, if so advised.

**(Dictated)**

Sd/-

**Sessions Judge**  
**East Champaran at Motihari**  
**26.03.2026**