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

Present:-

Abhishek K. Das
Sessions Judge,
East Champaran at Motihari

Bail Petition No. 679 of 2026

- 1. Naresh Yadav @ Naresh Kumar Yadav, aged about 38 years, S/o- Ram Chandra Prasad Yadav.**
- 2. Santosh Sah, aged about 36 years, S/o- Parmeshwar.**
Both R/o village-Gadariya Balganga, P.S. Raghunathpur, District- East Champaran.
-----**Petitioners.**

Versus

The State of Bihar

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

Counsel for the Petitioners :- Md. Tabrej Alam, Advocate.

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

Counsel for the Informant :- Sri Ashutosh Kumar Pandey, Advocate.

25.03.2026

This bail petition is filed on behalf of the petitioners, namely, (1) Naresh Yadav @ Naresh Kumar Yadav and (2) Santosh Sah, who are in judicial custody since 20.02.2026 in connection with Raghunathpur P.S. Case No. 72 of 2026 u/ss 331(4), 305, 324(4), 308(5) and 3(5) of Bharatiya Nyaya Sanhita, 2023.

In para-2 of the bail petition, it is mentioned that no other regular or anticipatory bail petition has been filed on behalf of the petitioners either in this court or before the Hon'ble Patna High Court. As per para-3 of the bail petition, the petitioner no. (1) has six criminal antecedents i.e. (1) Turkauliya (Raghunathpur) P.S. Case No. 220/2022, (2) Turkauliya (Raghunathpur) P.S. Case No. 1141/2022, (3) Turkauliya (Raghunathpur) P.S. Case No. 145/2019, (4) Raghunathpur P.S. Case No. 161/2024, (5) Raghunathpur P.S. Case No. 35/2025, (6) Raghunathpur P.S. Case No. 21/2026 and the petitioner no.(2) has two criminal antecedents i.e. (1) Raghunathpur P.S. Case No. 35/2025 and (2) Raghunathpur P.S. Case No. 21/2026. As per para-4 of the bail petition, the petitioners are in judicial custody 20.02.2026.

As per F.I.R., on 16.02.2026 cameras, batteries, inverter, CPR, DVR and water pump motor of informant's shop named PRW Trading Company were stolen by some unknown thieves. The informant has claimed that prior to this occurrence, Ripu Ranjan Singh, Naresh Yadav (petitioner), Santosh Sah (petitioner) and Sandesh Sah came at his shop in December, 2025 and demanded extortion Rs. 10,00,000/- and also threatened to commit robbery in his shop, if the extortion would not be fulfilled. It is further alleged that on 09.01.2026 the accused persons had destroyed the boundary wall of informant's shop.

The learned counsel for the petitioners has submitted that the petitioners are innocent and they have committed no offence. The alleged theft is attributed to unknown thieves, and there is not even a whisper of any overt act committed by the present petitioners. The implication of the petitioners rests solely on bald and omnibus allegation of prior threat, which is a transparent afterthought engineered to criminalize a civil/property dispute. No recovery whatsoever have been made from the conscious possession of the petitioner. The informant has earlier lodged several criminal cases against the petitioners.

The learned Public Prosecutor appearing on behalf of State and learned counsel appearing on behalf of the informant have opposed the prayer for bail.

Heard both sides and perused the record. As per F.I.R., prior to the instant case, the petitioners and other co-accused persons had demanded extortion from the informant and had also threatened him to commit robbery in his shop. Later on, several items of informant's shop has been stolen by unknown thieves. As per para-13 of the case diary, police arrested Sandesh Sah @ Sandesh Kumar and at his instance recovered stolen battery and inverter from the field of Ganaur Dubey. As per para-17 of the case diary, police arrested Santosh Sah (petitioner) and at his instance recovered stolen motor from the field of Dahari Ram. As per para-22 of the case diary, police arrested Naresh Yadav (petitioner) and recorded his confession, as mentioned in para-24 of the case diary, where he has stated that he alongwith the petitioner Santosh Sah and other co-accused persons committed theft in the informant's shop. As per para-25 of the case diary, containing confessional statement of co-accused Sandesh Sah @ Sandesh Kumar, he has also stated that he alongwith the petitioners and other co-accused committed theft in the informant's shop. In regard to recovery of stolen items, seizure lists are mentioned in para- 15 and 19 of the case diary. As per para-3 of the bail petition and para-53 of the case diary, the petitioner Naresh Yadav has six criminal antecedents and petitioner Santosh Sah has two criminal antecedents. As per para-62 of the case diary, investigation is under progress. Probability of repetition of offence cannot be denied.

In the facts of the case as discussed above and keeping in view nature of allegation, materials available in the case diary and many criminal antecedents of the petitioners, I am not inclined to enlarge the petitioners on bail. Accordingly, the prayer for bail of petitioners, namely, **(1) Naresh Yadav @ Naresh Kumar Yadav** and **(2) Santosh Sah** stands **rejected**.

(Dictated)

Sd/-

Sessions Judge
East Champaran at Motihari
25.03.2026