

**IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE - I
EAST CHAMPARAN, MOTIHARI.**

Bail Petition No. 864 of 2026

Name of petitioner:

1. Munna Kumar, S/o- Bir Bahadur Rai

Resident of Village- Bela Chamahi alias Chamahi, P.S.- Chhauradano, District-
East Champaran.Petitioner

Versus

The State of Bihar

... ..Opp. Party/s

Appearance :

For the petitioner/s : Sri Rakesh Prasad Yadav, Id. Advocate.

For the Opp. Party/s : Sri Khublal Prasad, Id. P.P.

ORDER

15-04-2026

Heard learned counsel for the petitioner and learned P.P. In-charge appearing on behalf of the prosecution.

The petitioner seeks regular bail under Section 439 of Cr.P.C. in connection with Chhauradano P.S. Case No. 37 of 2025 registered under Sections 338, 336(3), 340(2), 318(4), 317(4), 317(5), 3(5) of B.N.S. pending in the learned Court of Sri Shivam Singh, J.M.F.C. Raxaul at Motihari, East Champaran. Petitioner is under custody since 31.01.2026.

The case of the prosecution as stated by the informant who is an ASI at Chhauradano P.S., East Champaran in brief is that on 13.02.2025 when he on patrolling he received an information from the Chowkidar that one Harchan Mahto is having a theft vehicle pickup van and was using it with the help of another co-accused Munna Kumar by changing the registration number of the said vehicle. When the informant along with the other police personnel went at the door of the co-accused Munna Kumar, then he saw two persons were running away from there. The informant along with other police personnel tried to apprehend them but they escaped. The local chowkidar has named those persons as Harchan Mahto and Munna Kumar. Thereafter the informant tried to verify about the said vehicle. Nobody produced any papers relating to the said vehicle. Thereafter he seized the said vehicle.

It has been submitted on behalf of the petitioner that petitioner is quite innocent and has not committed the offence. Earlier A.B.P. no. 1901/2025 has been filed on behalf of petitioner was rejected by this court and Criminal Miscellaneous No. 61086 of 2025 filed on behalf of petitioner was rejected by Hon'ble High Court Patna. Thereafter

petitioner has not preferred any regular or anticipatory bail petition before any superior Court. Petitioner has no criminal antecedent. Further it has been submitted that allegation whatever levelled against the petitioners is false and concocted. Petitioner was not arrested on the spot nor any incriminating article has been recovered from his possession. Moreover petitioner is in jail custody since 31.01.2026. Hence he may be enlarged on bail.

On the other hand, prayer of the bail of the petitioners has been opposed by the learned P.P. in-charge.

Heard both sides and perused the record. From perusal of the record it appears that the petitioner is named in the F.I.R. and the allegation against the petitioner that he along with co-accused person Harchan Mahto were having a theft vehicle pickup van and were using it. During the investigation the investigating officer had enquired from the District Transport Officer about the ownership of the said vehicle and the District Transport Officer has responded by stating that the said vehicle was belonging to one Ganesh Kumar Mahto of village Balluwa ward no. 5, P.S. Phulparas, District Madhubani. Apparently the vehicle did not belong to the accused petitioner. The allegation brought against the petitioner is serious in nature and there is sufficient material available against the petitioner in the case diary also. Earlier A.B.P. no. 1901/2025 has been filed on behalf of petitioner was rejected by this court and Criminal Miscellaneous No. 61086 of 2025 filed on behalf of petitioner was rejected by Hon'ble High Court Patna.

Considering the fact and circumstances of the case, nature and seriousness of the offence alleged and gravity of punishment, I am not inclined to release the petitioner on bail. Accordingly the prayer of bail petition of the petitioner is hereby **rejected**.

(Dictated)

Sd/-

(Surendra Prasad)
District & Addl. Sessions Judge - I
Motihari, East Champaran
Dated:15.04.2026