

In the Court of Ms. Manoranjani Shaw, Additional Sessions Judge-XVI, Gaya
Bail Petition No. 1406 of 2026
(Arising out of Mahkar P.S. Case No.205 of 2024)

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Suday Kumar S/o Lal Babu Prasad
R/o Village- Kewri, P.S.- Mahkar, District- Gaya
Versus

... Petitioner

The State of Bihar

Dated:-01.08.2026

ORDER

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1. The bail petition has been filed and moved on behalf of incarcerated above named accused who is in judicial custody since 05.05.2026, arising out of Mahkar P.S. Case No.205 of 2024 for committing offence u/s 334(1), 303(2) of B.N.S., pending in the Court of Learned A.C.J.M.-IV, Gaya Ji.

2. Heard Learned Advocate for the petitioner and Learned A.P.P. for the State.

3. This present case has been instituted by the written information given by the informant namely Shambhu Sao and he further stated that on 25.12.2024 at about 11-12 O'clock, theft has been happened to his shop after breaking the shutter lock and some unknown thief has stolen of Rs.6000/- cash and sweets from his hotel situated at nai bazar further he found that all the materials of the shop was scattered. Hence, this case.

4. The Learned defence counsel humbly submitted that the petitioner has not filed any bail either anticipatory or regular bail petition before this Court or Hon'ble higher Court. Further he submitted that petitioner is quite innocent and has falsely been implicated in this case due confessional statement of co-accused Kundan Kumar. There is no specific allegation against the petitioner has been found in the entire case diary. Lastly, he submitted that the petitioner has nine criminal antecedent and he is in judicial custody since 05.05.2026, so he deserve the privilege of bail.

5. The Learned A.P.P. opposed the prayer and prayed to dismiss the petition of bail filed by the petitioner.

6. Heard the learned counsel for both the sides and perused the case record along with the L.C.R. From perusal of case record, it transpires that this case has been instituted for the offence u/s 334(1) and 303(2) of BNS against the co-accused along with present petitioner. From perusal of record it transpires that the allegation of theft is against the petitioner along with other co-accused Kundan Kumar and Deepak Kumar. Further, Ld. Counsel for the petitioner submitted that the co-accused of this case on whose confessional statement the petitioner was arrested, has already been granted bail by the Hon'ble High Court, Patna vide Criminal Miscellaneous No.91793 of 2025 dated 15.01.2026. From perusal of Para No.3 of bail petition, it transpires that present petitioner has nine criminal antecedent. After investigation I.O. has submitted charge

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sheet against accused / petitioner in the same section of FIR.

7. Considering the nature of allegation against the petitioner and his custody period and on ground of parity, I am inclined to enlarge the petitioner on bail. Accordingly, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, subject to the satisfaction of the learned court below. This direction for bail is also subject to the condition that one of the bailor shall be relative of the petitioner. This direction for bail is further subject to the condition that the petitioner shall fully cooperate in trial of the case and they shall not induce on thereafter the prosecution witnesses also the prosecution is at liberty to move for the cancellation of this bail bonds. This bail application is disposed of accordingly. Nothing stated herein shall tantamount to any expression of opinion on the merits of the case.

(Dictated)
Sd/-
(Manoranjani Shaw)
Additional Sessions Judge-XVI,
Gaya

Date of Order	01.08.2026
Date of Reserving Order	N/A
Uploading Date	01.08.2026
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