

**In the Court of District & Addl. Sessions Judge-VI-cum-Spl.
Judge POCSO, Gopalganj.**

B.P. No. 215 of 2026

In the matter of :-

Ritesh Upadhyay @ Muskan Upadhyay, :-----**Peti-
tioner.**

Versus.

The State of Bihar :-----**Opposite Party.**

Ld. Counsel for the Petitioner :- Sri Praveen Chandra Singh, Adv.

Ld. Counsel for the State :- Sri Daroga Singh, Spl. P.P.

Date of order- 25th of March, 2026

Present :- Pankaj Chandra Verma.

1. Bail Application filed on behalf of above-mentioned accused petitioner, who is in custody since 18.02.2026 in connection with Baikunthpur P.S. Case No.-354 of 2024, registered under Section 303(2), 62, 317(5), 111, 112, 3(5) of B.N.S., is put up for hearing today.

2. Heard the parties and perused the record.

3. Ld. defence counsel submitted to the effect that petitioner is quite innocent and has committed no offence and prosecution story is totally false, fabricated and petitioner bears one criminal antecedent. Further submitted that petitioner is innocent and he has not committed any offence, any type of stolen article is not recovered from the conscious possession of petitioner, police has falsely been implicated petitioner on mere suspicion. It is also submitted that co-accused, Manjeet Kumar Sah has been granted bail by this. In the given circumstances, as further submitted, the petitioner may kindly be admitted to the privilege of bail.

4. Ld. P.P. for the State opposed the prayer of bail of petitioner.

5. As per FIR, prosecution case, in brief, a written application filed by the informant Rajiv Ranjan Singh, being SHO stating therein that on 02.11.2024, he got information from the

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SPL. JUDGE POCSO, GOPALGANJ.**

B.P. No. 215 of 2026

Present : Pankaj Chandra Verma,
Date of Order: 25.03.2026

villagers of Village Sonawaliya that 3 thieves were caught, while trying to escape after stealing a tractor and 3 were fled away. For verification of the same he along with other police personnel reached there and taken into custody of those thieves. On interrogation they disclosed their name as Sanjeev Kumar, Rahul Kumar and Manjeet Kumar. They also confessed their guilt and also disclosed name of other co-accused persons, namely, Suraj Kumar Sahni, Anshu Kumar @ Tufan, Amit Kumar Singh, Manish Kushwaha, Aditya Singh, Sanjay Prasad @ Sanjay Kushwaha. They said that, they in connivance with the same working to sell and purchase of stolen tractor. One tractor recovered by the police near the house of Muskan Upadhyay. Hence, the FIR.

6. Heard and perused the case record. Allegation against this petitioner is that during course of committing theft of a tractor, some miscreants were apprehended by the villagers and on information, the informant went there and apprehended miscreants disclosed the name of this petitioner and others as their associates, who are indulged in business of selling of stolen tractor and upon confession of accused Sanjeev Kumar @ Sanju, a stolen tractor was recovered from the house of this petitioner. This petitioner appears to have been involved in deals with stolen article. The petitioner is having criminal antecedent. One co-accused granted bail by this court, but case of this petitioner does not stand on the same footing. Considering the facts and circumstances of this case, this Court does not find case of this petitioner fit for grant of bail.

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B.P. No. 215 of 2026

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7. Considering the said circumstances, do not find it fit to admit the petitioner/accused to the privilege of bail. Accordingly, bail prayer of petitioner/accused is hereby ***rejected***.

(Dictated)

Sd/-

**(Pankaj Chandra Verma)
District & Addl. Sessions Judge-VI
-cum-Spl. Judge POCSO,
Gopalganj.**

Date of Judgment/Order	25/03/26
Date of Reserving Judgment/Order	N/A
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