

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Regular Bail Petition No. 448 of 2026

(Arising out of Sidhwalia P.S. Case No. 15 of 2026, registered U/S 331(4) and 305 of the B.N.S.)

In the matter of :-

Name of the petitioner	: Mannu Kumar.
F.I.R. U/S	: <u>331(4) and 305 of the B.N.S.</u>
Charge-Sheet U/S	: <u>not submitted.</u>
Counsel for the Petitioner	: Shri Pundari Kaksha Tiwari, ld. Adv.
Counsel for the State	: Shri Deo Vansh Giri, ld. P.P.

ORDER

03-06-2026

1. This Bail Application filed on behalf of above named accused-petitioner, who is in judicial custody since 13-04-2026, in connection with Sidhwalia P.S. Case No. 15 of 2026, registered U/S 331(4) and 305 of the B.N.S., is put up for hearing today.

2. As per the FIR, prosecution case in brief is that on the basis of written application of the informant, Sidhwalia P.S. Case No. 15 of 2026 has been lodged against unknown. It is inter alia alleged in the F.I.R. that on 19-01-2026 in the night, some unknown thieves have committed theft of ornaments of gold and silver, Adhar cards, Bank pass-books and some important papers from the house of the informant and they have also committed theft of ornaments from the house of one Anuj Kumar.

3. It is submitted on behalf of accused/petitioner that he is innocent and has committed no offence and has been falsely implicated in this case. It is further submitted that petitioner has got no criminal antecedent. It is further submitted that petitioner is not named in the F.I.R. and petitioner has no concern with alleged occurrence. It is further submitted that no any incriminating substance has been recovered from the physical and conscious possession of the petitioner and Sec. 331(4) and 305 of the B.N.S. is not made out against the petitioner. It is lastly submitted that petitioner is in custody since 13-04-2026. On such strength, prayer for bail has been made by the petitioner.

4. Heard ld. Counsel appearing on behalf of the petitioner as well as ld. P.P. for the State. Ld. P.P. for the State has opposed the prayer for bail of the petitioner.

5. Having heard both the parties and perused the case record along with case diary. From the perusal of the F.I.R as well as case diary, it

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transpires that although, petitioner is not named in the F.I.R. but his name has cropped up in this case in the confessional-statement of co-accused Anish Kumar, who was caught by the police along with other co-accused and some stolen ornaments was recovered as mentioned at para-24 of the case diary. Informant and witnesses at para-02, 03, 07 and 09 of the case diary have supported the case of the prosecution against unknown. Para-29 and 31 of the case diary show that although, during the course of investigation, petitioner was caught by the police but nothing has been recovered from his possession. Para-74 of the case diary shows that petitioner has got no criminal antecedent. The petitioner appears to be in custody since 13-04-2026.

6. Considering the aforesaid facts and circumstances of this case and considering the period of custody of the petitioner and without going into the merit of this case, this court is inclined to grant bail to the petitioner and hence, the same is hereby allowed. Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the Id. Court below **subject to conditions that petitioner shall be released after submission of final form/charge-sheet with further condition that one of the bailors shall be close relative of the petitioner and one shall be local with further condition that petitioner will file an undertaking that he will cooperate in the investigation or trial and he will not temper with the evidence.**

Let a copy of this order along with lower court record be sent to the Id. Lower court for information and needful.

(Dictated)

(Geeta Gupta)
Principal Sessions Judge, Gopalganj.