

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Regular Bail Petition No. 493 of 2026

(Arising out of Mirganj P.S. Case No. 156 of 2026, registered U/S 303(2) of the B.N.S.)

In the matter of :-

Name of the petitioner	: Mukesh Kumar Yadav.
F.I.R. U/S	: <u>303(2) of the B.N.S.</u>
Charge-Sheet U/S	: Not submitted.
Counsel for the Petitioner	: Shri Yudhisthir Mishra, ld. Adv.
Counsel for the State	: Shri Deo Vansh Giri, ld. P.P.

ORDER

22-05-2026

1. This Bail Application filed on behalf of above named accused-petitioner, who is in judicial custody since 18-04-2026, in connection with Mirganj P.S. Case No. 156 of 2026, registered U/S 303(2) 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, Mirganj P.S. Case No. 156 of 2026 has been lodged against unknown. It is inter alia alleged in the F.I.R. that on the alleged date and time of occurrence, informant parked his motorcycle bearing reg. no. BR28Q5037, which was purchased in the year 2018 from one Ravindra Sah, in front of his house and went to sleep. When in the morning, he woke up and saw that his motorcycle was not there. Informant has suspected that some unknown thief has stolen away his motorcycle.

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 due to politics. It is further submitted that petitioner has got no criminal antecedent. It is further submitted that the said motorcycle is not recovered from the conscious possession of the petitioner, so no case U/S 303(2) of the B.N.S. is not made out. It is lastly submitted that petitioner is in custody since 18-04-2026. 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 transpires that although, petitioner is not named in the F.I.R. but his name has cropped up in this case during the course of investigation at

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para-15 and 16 of the case diary, in which it has been stated that petitioner was caught by the police in Mirganj P.S. Case No. 146/26 along with stolen motorcycle, which was being used by changing the number plat of the motorcycle. Para-17 of the case diary shows that one Ravindra Sah is the owner of the alleged stolen motorcycle. At para-19 and 23 of the case diary, it is evident that informant appeared before the Mirganj P.S. along with his relatives and identified the alleged stolen motorcycle and stated that he is the owner of the alleged stolen motorcycle, which was being used by changing the number plate. Para-29 of the case diary shows that petitioner has been remanded in this case from Mirganj P.S. Case No. 146/26, in which he has been granted bail by the Hon'ble High Court, Patna. Parta-32 of the case diary shows that petitioner has got no criminal antecedent. The petitioner appears to be in custody since 18-04-2026.

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 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 be sent to the Id. Lower court for information and needful.

(Dictated)

(Geeta Gupta)
Principal Sessions Judge, Gopalganj.