

IN THE COURT OF ADDITIONAL SESSIONS JUDGE III,
DISTRICT:-GOPALGANJ (BIHAR)
Bail Petition No. 625 of 2026
(Arising out of Kateya P.S. Case No. 237/2025)

In the matter of:-

Chhotu @ Chhathu Sah, S/o Vidya Sah.

:-----**Petitioner.**

Versus.

The State of Bihar

:-----**Opp. party.**

Ld. Counsel for the Petitioner :- Shri Samir Kr. Srivastav, Adv.

Ld. Counsel for the State :- Shri Deo Vansh Giri, P.P.

Order with signature of the Court

21-07-2026

1. This bail application is preferred by above named petitioner who is in jail custody since 24-05-2026, in connection with Kateya P.S. Case No. 237/2025, for the offences punishable under Section-317(1), 111 of B.N.S. is put up for hearing.
2. Heard Ld. Advocate for the petitioner as well as Ld. Addl. Public Prosecutor on behalf of the State.
3. As per FIR, prosecution case in brief is that on 03.05.2025, informant Mukesh Kumar, who is posted as the Sub-Inspector (S.I.) of Kateya Police Station, was conducting vehicle checking along with the police force near Gram-Baisiya Chowk. During the course of checking, at about 11:05 a.m. one person was seen towards Panchdeori approaching at high speed on a motorcycle. Upon being signaled to stop, the said person attempted to flee but was apprehended by the police personnel. On interrogation, he disclosed his name as Daroga Ali. Further, it is alleged that when informant demanded paper of said motorcycle but he did not produce any documents regarding ownership of motorcycle. On investigation, he

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got information that he also used to this stolen motorcycle Hero HF Delux bearing Registration No. BR-28S-6714, Chechis No. MBLHAW079K9C03759, Engine No. HA11EPK9 C14169. On Investigation of electronic device, he found chechis and engine number which are different and he also found that arrested accused person namely Daroga Ali disclosed that said motorcycle was a stolen vehicle and had been provided by his sons, namely Mainuddin Ali and Kalamuddin Ali. He further stated that both of his sons are involved in stealing motorcycles and use the same for, and facilitate, the illegal transportation and trafficking of illicit liquor. Seeing this, nearby people gathered there. When informant started to search two independent but none was ready to make independent witness. In presence of two witnesses, seizure list was prepared and a copy of seizure-list also given to the accused person. Subsequently, F.I.R. has been instituted.

4. It is *inter alia* submitted on behalf of petitioner that he is innocent and has falsely been implicated in this case. Ld. Advocate for the petitioner submitted that this is the first bail application filed on behalf of the petitioner previously no any other bail petition either anticipatory or regular application has been filed either before the Hon'ble High Court of Judicature at Patna or before this court prior to present one. In para no. 03 of the bail petition, it has been stated that the petitioner has got only one criminal antecedent. The petitioner is quite innocent and has committed no offence as alleged

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in the FIR. The petitioner has been falsely implicated in this case. Further, it is submitted that petitioner is not named in the F.I.R. and nothing incriminating articles has been recovered from the possession of the petitioner and name of petitioner has come in this case on confessional statement of co-accused Daroga Ali. Moreover, petitioner is in jail custody since 24-05-2026. On such strength, prayer for bail has been made.

5. *Per contra*, ld. P.P. for the State has opposed the prayer of bail of the petitioner.
6. Having heard both the parties, I have gone through the case record along with case diary. From perusal of case record, it appears that Kateya P.S. Case No. 237/2025, for the offences u/s- 317(5), 111 of B.N.S. had been lodged against the petitioner. Petitioner is not named in F.I.R. but name of accused petitioner has come in the confessional statement of co-accused Daroga Ali. From perusal of case diary, it appears that no any incriminating article has been recovered by the conscious possession of the accused petitioner. Other co-accused named in the F.I.R. have been enlarged on bail by the Hon'ble High Court, Patna. Moreover, petitioner is languishing in jail custody since 24-05-2026.

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7. Considering the above facts and circumstances of the case and the period of detention undergone by the petitioner. **The petitioner Chhotu @ Chhathu Sah is directed to be released on bail, furnishing bail bond of Rs. 30,000/- with two sureties of like amount each to the satisfaction of the learned court concern subject to following conditions that 1. One of the bailor will be family member of the petitioner and 2. accused petitioner has to file an undertaking that they will not indulged in such type of offence in future.**

Let a copy of this order be transmitted to Id. Court below forthwith and the order be uploaded on C.I.S. immediately.

This order is dictated and corrected by me.

(Dictated)

(Rajendra Kumar Pandey)
District & Addl. Sessions Judge III,
Gopalganj.

Date of order	21-07-2026
Date of reserving order	21-07-2026
Uploading date	21-07-2026
Uploaded by	Shobhit Kumar