

**IN THE COURT OF AMIT KUMAR, ADDL. SESSIONS JUDGE V, JAMUI**

**(B.A. No. 389/2026)**

Arising out of Jamui P.S. Case No. 55/2026, District-Jamui

**Raja Kumar Vs. State of Bihar**

For Petitioner : Ld. Counsel Sri. Shakaldev Mandal.

For The State : Ld. Addl. P.P. Sri. Sanjeev Kumar Singh.

**Date of order : 30.06.2026**

1. The present regular bail application has been filed on behalf of the accused petitioner namely Raja Kumar, aged about 36 years, S/o Ramji Modi @ Mantu Modi, resident of Village Itaun, P.S.- Chanan, District- Lakhisarai, who is in jail custody since 08.05.2026 in connection with Jamui P.S. Case No. 55/2026 registered under section 303(2) of the B.N.S.

2. As per the FIR, the informant Nitish Kumar Sinha has alleged that on 02.02.2026 at about 2:00 P.M. one e-rickshaw standing in the name of his father, bearing Registration No. BR-46ER0526 and Chassis No. MDGPETAKI9K169303, which was parked at his door, was snatched/stolen by some unknown person, and on the said vehicle not being found despite search, a written report was given to the concerned police, on the basis of which the above FIR was registered.

3. Learned counsel for the petitioner submitted that the petitioner is quite innocent and has committed no offence and has falsely been implicated in this case. It is submitted that the petitioner is neither named in the FIR nor has anything been recovered from his possession, and that he has been implicated only on the basis of the confessional statement of co-accused Sonu Kumar, which has no evidentiary value in the eyes of law. It is further submitted that the alleged section is not applicable against the petitioner. No other bail application of the present nature on behalf of the petitioner is pending either before this Court or the Hon'ble High Court, Patna; however, an earlier bail application moved before the learned C.J.M., Jamui has been rejected on 24.05.2026. Therefore, it has been prayed that the accused petitioner may kindly be enlarged on regular bail.

4. On the other hand, learned Addl. P.P. for the State has opposed the prayer for bail and has pointed out that the petitioner has criminal antecedents vide Tetarhat P.S. Case No. 231/2025 under section 303(2) of the B.N.S. and Tetarhat P.S. Case

No. 25/2026 under section 303(2) of the B.N.S., it being submitted on behalf of the petitioner that he is already on bail in Tetarhat P.S. Case No. 25/2026.

5. Heard both the parties in detail and perused the record.

6. The FIR has been registered for the offence punishable under section 303(2) of the B.N.S. On perusal of the record, it transpires that the allegation against the petitioner relates to theft of an e-rickshaw, and that the petitioner is in jail custody since 08.05.2026. The offence under section 303(2) of the B.N.S. is triable by the Magistrate and is punishable with imprisonment which may extend to less than seven years.

7. On perusal of the record, it transpires that the petitioner is not named in the FIR and has allegedly been implicated on the basis of the confessional statement of a co-accused, and that nothing is shown to have been recovered from the possession of the petitioner. The matter is essentially one of property and the alleged offence does not carry the gravest sentence. Considering that the petitioner is in custody since 08.05.2026 and the nature of the allegation, this Court is of the considered view that the petitioner is entitled to the privilege of regular bail.

8. Considering the aforesaid facts and circumstances of the case, quantum of punishment, nature of allegation against the petitioner, the period of custody already undergone, and the entire facts and circumstances of the case, the regular bail application of the petitioner namely Raja Kumar is hereby allowed. Accordingly, it is ordered that the above-named petitioner be released on bail in connection with Jamui P.S. Case No. 55/2026 on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the learned court below, with the conditions as laid down under section 482(2) of the B.N.S.S.

**Dictated**

**Sd/-**

**Addl. Sessions Judge - V, Jamui**

**Copy forwarded to the court concerned**

**Addl. Sessions Judge - V, Jamui**