

BRKH010021562026



Presented on : 11-03-2026
Registered on : 11-03-2026
Decided on : 04-04-2026
Duration : 0 years, 0 months, 24 days

**IN THE COURT OF SESSIONS JUDGE
At Khagaria, (Bihar)
(Presided Over by Shri Rajesh Kumar Bachchan)**

Bail Application No.265 of 2026
Nitish Kumar Yadav Vs. State of Bihar
FIR No.39/2025
P.S.-Naugachhiya Rail
u/Ss.305(b) of BNS
J.C.-19.02.2026

Date: 04.04.2026

ORDER

1. Vide instant order, I propose to dispose of aforesaid application for regular bail filed on behalf of the accused **Nitish Kumar Yadav**, who is stated to be in judicial custody since 19.02.2026 in the aforesaid F.I.R.
2. Briefly stated facts of the case as per FIR registered on 18.09.2025 are that on 17.09.2025 his motorcycle was stolen away which was parked near railway crossing.

3. Ld. Counsel for applicant has submitted that applicant is quite innocent and has committed no offence. Applicant was not named in the F.I.R. and he was not arrested on the spot. Nothing has been recovered from the possession of the applicant and no independent witness has supported the prosecution case. Recovery memo was not prepared on the spot and there is no eye witness in this case. Applicant has two criminal antecedent and he is in judicial custody since 19.02.2026. The suspected motorcycle is recovered from the joint house of the applicant and applicant had no knowledge of the theft motorcycle. Ld, Counsel further submitted that two F.I.R.s have been registered relating the same incident. The first one is the present F.I.R. and the second one is Kursela P.S. Case No. 210/2025. Ld. Counsel has also submitted that applicant is ready to abide by all conditions imposed by this court if he is enlarged on bail.
4. Conversely, Ld. P.P. for state has strongly opposed the bail application.
5. Heard. Perused the bail application and L.C.R.
6. Stolen motorcycle of the present case is also the subject matter of Kursela P.S. Case No.210/2025 and in which the applicant has been granted bail by Hon'ble High Court. No criminal antecedent of the applicant has been pointed out. In view of aforesaid facts and

circumstances, the applicant is directed to be released on bail on his executing a personal bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each to the satisfaction of the Ld. Court below.

7. B.A. No. 265 of 2026 is hereby **allowed**.

(Dictated)

R.K. Bachchan

(R.K. Bachchan)
Sessions Judge,
Khagaria.
04.04.2026

Date of Order	04.04.2026
Date of Reserving Order	—
Uploading Date	08.04.2026
Uploaded by	Sushant Kumar (DEO)