

COURT OF ADDITIONAL SESSIONS JUDGE - III, KISHANGANJ

**B.P No. 198/2026 arising out of Pothia P.S Case No. 151/2026 u/ss 305(a) & 317(2) r/w
3(5) of B.N.S.**

Raju Kumar Das aged about 30 years s/o Seltu Das r/o Gauri Hat P.S Pothia District Kishanganj
... **PETITIONER**

Versus

State of Bihar
... **O.P**

23.06.2026/ORDER

Heard on bail of petitioner in judicial custody since 18.04.2026. Copy of the petition has been served to the Ld. A.P.P. Perused the case diary and case record.

2. Petitioner certifies that no bail application has been preferred earlier before this Court or the Hon'ble Court. Petitioner submits that as per para 15 of case diary there is no mention of criminal case pending against the petitioner. However under para 18 of case diary it has been submitted that one case (GR-1864) is pending against the petitioner without any other detail.

2.1 Besides general averments, plea of innocence and false implication; submission has been made that no signature or LTI of the petitioner has been taken which is a clear violation of section 103 B.N.S.S. In fact there was some argument between the informant and the petitioner which led to the filing of this false case. Prayed for bail.

3. Ld. APP opposed the bail while admitting that charges have been framed against the petitioner and the alleged stolen property is of low value.

4. Informant submits that a bridge was under construction on Dock river and the informant is the plant munshi. On 17.04.2026 at around 1:45 PM when the labourers returned after offering Namaz they found the tin labour hut damaged with one iron shutter missing. On search two persons including this petitioner were found carrying one iron plate on a bicycle. The locals apprehended the culprits and handed over to the police with the stolen article.

5. Allegation against the petitioner is committing theft of iron plate and retaining the same.

5.1 Investigation is complete and charges have been framed against the petitioner. Petitioner

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along with allegedly stolen article has been handed over to the police by the prosecution side. Witnesses appear interested. There is no chance of tampering with the evidence.

6. Considering all facts and circumstances, submissions and discussions; and taking into account the period of judicial custody undergone by the petitioner I am inclined to enlarge the petitioner on bail. Bail stands **allowed**.

6.1. Petitioner shall be released upon furnishing bail bond of Rs.10,000/- (TEN THOUSAND) with two sureties of the like amount each to the satisfaction of the Ld. Court below with the condition that one of the bailors shall be a close relative of the petitioner. Petitioner shall undertake not to involve in similar activities in future.

Dictated

Sd/-

Additional Sessions Judge – III

Date of Judgment / Order	23-06-2026
Date of reserving Judgment /Order	NA
Uploading Date	24-06-2026
Uploaded by	Steno