

Barsoi P.S. Case no. 50/2026
U/S 331(4), 305, 317(2), 317(4), 317(5) of the B.N.S.
Accused Name- Chhotu Kumar Sah
P.O.-Asutosh Rai. A.S.J.-II, Katihar
B.P. No. 486/26

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IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II
DISTRICT-KATIHAR
(B.P. No. 486/26)

1. Chhotu Kumar Sah aged 28 years S/o Fulkumar Sah
R/o- Village- Molanapur, P.S.- Barsoi, District- Katihar

.....Accused/petitioner.

Vs

State of Bihar.....Opposite Party.

Barsoi P.S. Case no. 50/2026
U/S- 331(4), 305, 317(2), 317(4), 317(5) of the B.N.S.
Ld, advocate for petitioner- Shri Md. Saud Alam
Ld, A.P.P. for the State- Shri Md. Ajaz Alam

ORDER

21.05.2026- This petition for regular bail has been filed on the behalf of the accused-petitioners namely Chhotu Kumar Sah who is in custody since 29.03.2026 in connection with Barsoi P.S. Case no. 50/2026 P.S. instituted U/S- 331(4), 305, 317(2), 317(4), 317(5) of the B.N.S.

Heard the Ld. Counsel Shri Md. Saud Alam appearing on the behalf of the petitioner and Ld. A.P.P. Shri Md. Ajaz Alam on behalf of the state.

According to F.I.R. prosecution case in nutshell is that informant to the case namely Rahul Kumar Singh P.S.I., Barsoi lodged a written report before S.H.O., Barsoi to this effect that on dated 28.03.2026 he was in patrolling duty along with other police personnel and in the course of patrolling duty informant received a confidential information that accused-petitioner namely Hari Sah @ Budhuwa work as a electricity mechanic who used to commit theft and sell of electronic devices of government institutions. On such information informant raided at the house of Hari Sah @ Budhuwa situated at village- Maulanapur but having seen the police party some persons started fleeing away then they were apprehended by the police force on being asked they disclosed their name to be Amar Kumar Das, Hari Sah @ Budhuwa and Chhotu Kumar Sah (accused-petitioner). On being asked Hari Sah @ Budhuwa disclosed that he used to commit theft in government institutions and further disclosed that with association of Amar Kumar and Chhotu Kumar he has committed theft in two places in recently. He further stated that on dated 23.03.2026 he committed theft of C.C.T.V. camera and other articles installed by Nagar Panchayat, Barsoi and on dated 25.03.2026 he committed theft of ten ceiling fan from primary Vidyalaya, Maulanapur Puriyar tola and he has sold the said fan. He further stated that he had also committed theft of U.P.S. of nagar panchayat and same is in his possession. Later on, said U.P.S. was recovered from the house of Hari Sah @ Budhuwa. Further, on the instruction given by accused persons informant raided at the shop of Pappu Kumar Sah and recovered one C.C.T.V. camera and one D.V.R. and further Pappu Kumar Sah disclosed that he used to purchase the stolen property from Hari Sah @ Budhuwa from Amar Kumar Das and Chhotu Kumar. Further, raid was made at the house of one another accused namely Md. Hasim and from his house four stolen ceiling fan were recovered. Further on the instruction given by Hari Sah @ Budhuwa one ceiling fan was recovered from the parking stand of Vishnu Kumar. Further, from the house of Rakib Alam two ceiling fan were recovered and from the house of Chintu Kumar one ceiling fan was recovered. Further

from the house of Minhaz two ceiling fans were recovered. Further, from the shop of Niranjana Kumar one M.C.B. was recovered. Later on seizure list was prepared and accused-petitioners were remanded to jail custody.

On the other side learned counsel for the petitioner has reiterated all the grounds taken in the bail petition and has submitted that the petitioner is innocent and he has committed no offence. He has further submitted that the petitioner has falsely been implicated in this false and fabricated case. He has further submitted that no incriminating articles have been recovered from the petitioner's possession and inserted section is false and concocted which is not made out against the petitioner. He has further submitted that there is no eye witness in the case. Accused-petitioner has no bad criminal antecedent and he is in custody since 15.04.2026. Accordingly, it has been prayed to allow the said both anticipatory bail petitions.

Per contra, learned A.P.P. appearing for the state has opposed the prayer for bail and has submitted that from record it prima facie appears that accused-petitioner is the member of such gang who is involved in committing theft of valuable articles from government institution. Hence, petitioner doesn't deserve for regular bail.

Heard the both parties and perused the entire case record from perusal of the case record it is evident that accused-petitioner is named accused of the F.I.R.. Further, from record it appears that accused-petitioner and two other accused were apprehended by the police near the house of Hari Sah @ Budhuwa. Further, on search one U.P.S. was recovered from the house of Hari Sah @ Budhuwa and he further disclosed that with association of present petitioner and one another accused namely Amar Kumar Sah, he used to commit theft in several government institutions. Further, one other accused Pappu Kumar Sah has also stated in his disclosure statement that he used to purchase stolen property from Chhotu Kumar Sah and others. Furthermore, on the instance of accused persons several fans have been recovered from the house of other accused persons. Further, witnesses of the case have also supported the case of prosecution and investigation is still pending against the petitioners.

So, having considered the above facts and circumstances of this case as well as gravity of this case and submission of the Ld. A.P.P. appearing for the state, I am not inclined to enlarge the above named accused petitioner on bail. Accordingly, bail petition filed on behalf of the accused-petitioner namely Chhotu Kumar Sah is hereby rejected. However, petitioners may renew their bail petition before the Ld. Concerned court after framing of charge.

**Addl. Sessions. Judge-II
Katihar**

Date of Order	21.05.2026
Date of Reserving Order	N/A
Uploading Date	27.05.2026
Uploaded By	Prakash Kumar Singh, Steno D.A.S.J.-II, Katihar