

Shri Shailendra Kumar-1
District & Additional Sessions Judge - 10th, Muzaffarpur.
BP No. 651/2026 order dated 18-05-2026
Shivam Kumar Vs. State of Bihar

Court of District & Additional Sessions Judge - 10th, Muzaffarpur
BP No. 651/2026 Order dated 18-05-2026

1. SHIVAM KUMAR S/O SUJEET KUMAR SINGHPETITIONER
VERSUS
STATE OF BIHARO.P

(Arising out of Kazi Mohammadpur P.S. Case No. 27/2026 u/ss 303(2) & 318(4) of the B.N.S and Section 66(C)(D) of the I.T. Act.)

Ld. Counsel on behalf of petitioner :-	Shri Priya Ranjan
Ld. Counsel for the State :-	Shri Sunil Kumar, (Ld. A.P.P.)

ORDER

18-05-2026 1. A petition for bail dated **28.04.2026** along with power and certified copy of documents has been filed on behalf of accused petitioner who is languishing in judicial custody since **24.03.2026**. Heard the learned counsel **Shri Priya Ranjan** for the applicant/accused persons and the Ld. Addl. Public Prosecutor, **Shri Sunil Kumar**, on the regular bail application.

2. The prosecution story in brief is that on 16.01.2026, at about 6:00 AM, the informant, Kailash Sahni, upon de-boarding a train at Muzaffarpur Junction, hired an auto-rickshaw to travel to his native village, Madhaul Maniyari, wherein two co-passengers were already seated. Under the false pretext of offering a shared ride to the same destination, the individuals induced the informant to transfer into a waiting four-wheeled vehicle near a Reliance petrol pump, inside which two other accomplice suspects were present. It is alleged that the suspects deceptively drove the informant to a secluded area behind Dighra Chowk via unpaved roads, where they criminally intimidated and coerced him into abandoning all his personal effects including two bags of clothing, a gold earring, a mobile phone, a bank passbook, an ATM card, and Rs. 8,000/- in cash before forcibly de-boarding him from the vehicle and fleeing the scene. Subsequently,

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using the stolen mobile phone, ATM card, and credentials, the suspects unauthorizedly debited and transferred funds from the informant's bank account via multiple ATM cash withdrawals, card swipes, and UPI transfers on January 16 and 17, 2026, totaling an aggregate online financial fraud and robbery of approximately Rs. 2,39,000/-, which came to light upon the procurement of the informant's official bank account statement

3. Ld. Counsel for the petitioner submitted that the petitioner is quite innocent and has not committed any offence as alleged. No earlier bail has been preferred either before this Court or the Hon'ble Court. The petitioner has clean criminal antecedent. The petitioner is not named in the FIR. The entire allegations as alleged in this case against the petitioner is false and fabricated. Nothing incriminating has been recovered from the possession of the petitioner. The police has been arrested this petitioner from his home without disclosing the reason. Except the confession of co-accused, there is nothing available on record against the petitioner. At the police station, the police planted the incriminating materials/documents and on threat obtained the signature of the petitioner on the forged seizure list. The petitioner has no concern with the co-accused and has not confessed his guilt before anyone. The petitioner is a student and pursuing studies in Noida International University, Noida. The petitioner is a man of means and there is no chance of his absconding. Prayer of bail

4. On the other hand Ld. A.P.P. has vehemently opposed the prayer of bail.

5. Heard both the parties and perused the case record. From perusal of case record and case diary of the case it appears that nothing recovered from this petitioner except a mobile phone. According to different paras of the case diary, why name of this petitioner mentioned in this case is not clear. The petitioner is under custody since 24.03.2026 without any legal evidence. So, this petitioner

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deserves facility of bail with certain conditions.

6. Considering the entire facts and circumstances of the case, I am inclined to **grant** the bail to the petitioner. Accordingly petitioner namely, **SHIVAM KUMAR**, is directed to be released on bail on furnishing bail bonds of **Rs. 10,000/- (Ten thousand)** with two sureties of the like amount each to the satisfaction of the concerned Court below on conditions that one of the bailors must be close relative/local villager of the petitioner. Further, the petitioner is required to submit an undertaking that he shall not indulge in the similar case and will remain physically present in court till disposal of the case.

(Dictated)

SD/-

Shailendra Kumar - 1

Additional Sessions Judge – X

Muzaffarpur