

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-III, NAWADA

Present: Upendra Kumar, Incharge ASJ-III, Nawada

BAIL PETITION NO. 343/2026

47/26

Arising out of Mufassil P.S. Case No. 09/2026

Abhay Kumar @ Bobby

.....Petitioner

vs.

State of Bihar

.....Opposite Party

25.03.2026	Order	Remarks
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	<p>1. In compliance of Hon'ble High Court's order the P.O. has gone Bihar Judicial Academy, Patna.</p> <p>2. This bail petition is filed by the accused Abhay Kumar @ Bobby who is in custody since 10.01.2026 for committing an offence U/s 303(2), 317(2), 111 of the B.N.S., 2023 arising out of Mufassil P.S. Case No. 09/2026.</p> <p>3. The brief facts of the case are that the informant, who is posted as an S.I. at Police Station Muffasil, received secret information on 07.01.2026 at about 12:30 p.m. Upon receipt of the said information, he duly informed the superior officers, whereafter a raiding team was constituted and proceeded to the place of occurrence. Upon reaching the spot, three persons, on noticing the police party, attempted to flee; however, two of them were apprehended along with a motorcycle, who disclosed their names as (1) Dhiraj Kumar and (2) Anant Kumar, and name of absconder as Abhay Kumar @ Bobby. During further interrogation, they confessed that on 06.01.2026 they had committed theft of a motorcycle bearing Registration No. BR27K6973 from Mangar Bigha, Nawada. From the possession of accused Dhiraj Kumar, one Samsung mobile phone was recovered, and from the possession of accused Anant Kumar, one POCO mobile phone was recovered, in addition to the aforesaid motorcycle. Accordingly, the recovered articles were duly seized, and the accused persons were brought to the Police Station, where they further confessed that they commit motorcycle theft by forming an organized gang and thereafter sell the stolen vehicles to illegal liquor suppliers. Consequently, they were arrested.</p> <p>4. According to para 2 of the bail petition, the petitioner had not filed any anticipatory bail or regular bail either before this Hon'ble Court or before the Hon'ble High Court.</p> <p>5. As per para 3 of the bail petition, the petitioner bears no criminal antecedent.</p> <p>6. Learned Counsel appearing for the petitioner submits that the petitioner is innocent and no case as alleged by the prosecution is made out against him. The petitioner was not present on spot nor he has committed theft. There is no independent witness to support the</p>	
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prosecution story and the name of the petitioner was surfaced on the basis of statement of co-accused. He is in custody since 10.01.2026. Further there is no chance of his absconding as he undertakes to present himself before the police and Court as and when directed to appear. The petitioner further undertakes not to temper with the evidence or witnesses in any manner and will not leave the country without the prior permission of the Court. Hence he be enlarged on bail

7. Learned A.P.P. appearing for the State has vehemently opposed the prayer of bail.

8. Heard both the sides and perused the record.

9. On perusal of the records, it appears that the petitioner is a named accused in the F.I.R. who managed to escape from the place of occurrence. As para 41 of the case diary the petitioner bears six criminal antecedents, all relating to theft and other offences. It further transpires that the petitioner, along with other co-accused persons, formed a gang and committed theft in an organized manner. The petitioner is in custody since 10.01.2026. Upon completion of investigation, the case has been found to be true against the petitioner, and Charge-Sheet No. 74/26 has already been submitted against him.

10. Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail, hence the prayer of bail of the petitioner above named is rejected.

11. The bail petition of the petitioner dated 09.03.2026 is accordingly rejected.

(Dictated and corrected)

Upendra Kumar
(Upendra Kumar)

I/C Addl. Sessions Judge-III, Nawada