

COURT OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE, NAWADA

A.B.P.No.642/2026

Roshan Kumar

Petitioner

Versus

State of Bihar

Opp.Party

Date of order or proceeding	Order with signature of the court	Office action taken with date
29.04.2026 <i>1/10/2026</i> <i>29/04/2026</i>	<p>1. This anticipatory bail petition has been filed on behalf of the petitioner Roshan Kumar, who is apprehending his arrest, in connection with Roh P.S. Case No.10 of 2022 under Sections 379 of the B.N.S. and put up for hearing.</p> <p>2. Heard Shri Nandlal Prasad Yadav, learned counsel for the petitioner as well as Shri Manoj Kumar Singh, learned P.P. for the state and perused the record including the case diary.</p> <p>3. The short case of the prosecution as per the written complaint of the informant Vikash Kumar is that on 09.01.2022 at about 01:00 A.M. in the night the informant parked his Apache motorcycle bearing registration no.BR53E 9726 near the door of his house after locking it and when he awakened at 06:00 A.M. he saw that his vehicle is not there and on search it could not be traced out.</p> <p>4. Learned counsel for petitioner submitted that the petitioner has got one criminal antecedent after registered the present FIR, in which he is on bail. It has been further submitted that the petitioner is quite innocent and has committed no offence as alleged rather he has been falsely been implicated in this case. It has been further submitted that petitioner is</p>	

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not named in the FIR and his name surfaced during course of the investigation on the basis of confessional statement of other co-accused person, namely, Jitendra Kumar, hence, anticipatory bail petition of petitioner may be allowed.

On the contrary learned P.P. opposed the prayer for anticipatory bail of the petitioner.

5. The present case relates to the stealing of motorcycle of the informant at night near his house. The FIR has been registered against unknown person and from the perusal of para 23 of the case diary it transpires that this stolen motorcycle along with two other motorcycles alleged to be recovered from the possession of co-accused, who is not the petitioner, here, i.e. Jitendra Kumar @ Jitu Yadav and Rahul Kumar. The name of this petitioner came on the basis of the confessional statement of the co-accused, which is clear from para 24 of the case diary. Nothing has been recovered from the possession of the petitioner and his name came in this case only on the basis of confessional statement of co-accused. Petitioner is accused in Roh P.S. Case No.12/2022 dated 12.01.2022 under Section 414 of the I.P.C.

6. In view of the above this court thinks it fit just, proper and legal to admit the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the accused-petitioner Roshan Kumar is being **allowed** hereby and it is ordered that in the event of surrender/arrest

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within four weeks from today the petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below subject to the conditions as laid down u/s 482 (2) of B.N.S.S. with further conditions that the petitioner shall make himself available for interrogation by a police officer as and when required and the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer, the petitioner shall remain present on each and every date during trial and if the petitioner fails to appear on two consecutive dates his bail-bonds shall be liable to be cancelled.

(Dictated & corrected by me)

Shutosh Kumar
Principal Sessions Judge.

29/04/2026