

Navin Kumar @ Navin Rai, aged about 22 years, s/o Sohan Rai, r/o- Sri Rampur, P.S. Bihta,
Distt. Patna.....Petitioner
Vs.

The State of Bihar.....O.P.

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Appearance;- For the Petitioner; Sri Vijay Kumar (Adv.)
For the Opposite Party; Sri Kalam Ansari (Addl. P.P.)

Present: - Naghma Tarannum, Addl. Sessions Judge-04, Danapur

ORDER

06.03.2026	<ol style="list-style-type: none">1. The bail petition dated 07.01.2026 filed on behalf of the petitioner/accused Navin Kumar @ Navin Rai is taken up for hearing today. The petitioner is in judicial custody since 10.12.2025 in connection with Bihta P.S. Case No. 907/2025, registered for the offence punishable under Section 303(2), 317(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 pending in the Court of ACJM II, Danapur.2. Heard learned counsel for the petitioner and learned Addl. P.P. for the State. Perused the materials available on record.3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated. It is contended that nothing incriminating has been recovered from his possession and the allegation of committing theft of iron rod and carrying in an auto rikshaw by the petitioner is totally false and based on conjectures and surmises. It is further submitted that the petitioner has neither been seen by any one picking up the alleged iron rod in the said auto rikshaw. Even the informant has not stated anything with regard to the fact that, whom the alleged iron pieces belonged to. Merely on the basis of conjectures the petitioner has been dragged into this false case. It is also submitted that the petitioner is in custody for a considerable period, investigation has substantially concluded. The petitioner undertakes to abide by all conditions imposed by the Court.4. On the other hand, learned Addl. P.P. vehemently opposes the prayer for bail submitting that the offence alleged is grave. It is submitted that the petitioners along with other co-accused have committed theft of iron rods and the same was recovered while they were carrying it on an auto rikshaw. It is contended that the	Contd.
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incident occurred at an odd hour, showing premeditation, and therefore the petitioner does not deserve bail.

5. This Court has considered the rival submissions and the materials available. At the stage of bail, a detailed appreciation of evidence is not warranted; however, the Court is required to consider the nature of accusation, materials collected, stage of the case, possibility of tampering with evidence, likelihood of absconding, and the requirement of further custodial detention.
6. In the present case, it appears that the petitioner is in custody since 10.12.2025 and the investigation appears substantially completed, though charge sheet has not yet been filed, hence further custodial interrogation of the petitioner is not shown to be necessary for the purpose of investigation. Hence, the petitioner's prayer deserves consideration.
7. Considering the period of custody, the fact that no owner of the alleged recovered iron rod pieces come forward to lay his claim, this Court is of the view that the petitioner has made out a case for grant of bail, subject to strict conditions to ensure his presence during trial and to prevent tampering with evidence.
8. Accordingly, the petitioner/accused Navin Kumar @ Navin Rai is directed to be released on bail in connection with Bihta P.S. Case No. 907/2025, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned court below, subject to the following conditions:
9.
 - i. The petitioner shall cooperate in the trial and shall remain properly represented/appear on each and every date fixed, unless exempted by the Court.
 - ii. The petitioner shall not tamper with evidence and shall not influence/intimidate the informant/prosecution witnesses.
 - iii. The petitioner shall not commit any offence during the pendency of the trial.
 - iv. The petitioner shall not leave the jurisdiction of the Trial Court without prior permission and shall furnish his current address and mobile number before the learned court below.

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v. In case of violation of any condition, the prosecution shall be at liberty to move for cancellation of bail.

10. Let this order be communicated to the learned court below for compliance.

Dictated

Addl. Sessions Judge-04, Danapur