

In the Court of Addl. Sessions Judge-I, Danapur.

Present :- Ms. Kshiprachala Anjalee, Additional Sessions Judge-II, Danapur.

A.B.P. No. 1135 of 2026.

(Arising out of Rupaspur P.S. Case No. 152 of 2026).

Mohan Prasad, son of Rajendra Prasad, Resident of Ramjeechak, Digha, Police Station-Digha, District-Patna Petitioner.

Versus.

The State of Bihar.

..... Opp. Party.

Learned counsel for the petitioner :- Sri Rajesh Kumar Sinha, (Advocate)

Learned counsel for the State :- Sri Ramkeshwar Prasad, (Addl. P.P.)

Order.

02-07-2026. This anticipatory bail petition has been filed on behalf of the above-named petitioner, who apprehends his arrest in connection with Rupaspur P.S. Case No. 152 of 2026 registered under Section 303(2) of the B.N.S., pending in the Court of learned A.C.J.M.-II, Danapur.

Heard learned counsels for the parties.

It is submitted on behalf of the petitioner that no any other bail petition either for grant of regular or anticipatory bail filed before this learned court or before the Hon'ble High Court, Patna. It is further submitted that there is no any other bail petition is pending in any other court and this is the first bail application filed on behalf of the aforesaid petitioner. It is further submitted that the petitioner is innocent and has committed no offence as alleged. The petitioner is the staff in the shop of the informant. Nothing has been recovered from the possession of the petitioner. The petitioner has clean antecedent. The petitioner is ready to abide by any condition imposed by this court. Hence, the petitioner may be given privilege of anticipatory bail.

Learned Addl. P.P. opposed the prayer of bail petition of the petitioner.

As per F.I.R., the informant Piyush Kumar Gupta, alleged that he has a jewelry establishment named Jai Alankar Jewelers at R.P.S. More, S.R. Complex, Bailey Road, Patna. In this establishment, he has a staff member named Mohan Prasad (petitioner). This staff member has been working since the inception of his establishment and is currently employed as the Manager in the silver section. Entire responsibility of this section was given to him. The informant bring to the notice that on 26-02-2026, during stock inspection, he was informed, that during stock reconciliation, he stated that all stock was correct. However, when it was re-verified by the Stock Manager, a shortage of 05 kilograms 750 grams in weight was found, the value of which is Rs.20,87,400/-. Therefore, it is requested to take appropriate legal action be taken. On the basis of the written report of the informant, an F.I.R.

was lodged under Section

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303(2) of the B.N.S.

Perused the record and the case diary. On the perusal of the same, it transpires that the prosecution version finds support from it. On perusal of the paragraph nos. 10, 22, 40, 41, 42, 44 and 65 of the case diary, it appears that the petitioner was not seen to stealing the said silver. No any eye witness of the alleged occurrence. Nothing has been recovered from the possession of the petitioner. Apart from that it is submitted and claimed on behalf of the petitioner that he has clean antecedent. Investigation in the case is still going on.

Having considered aforesaid including the facts and circumstances of the case, clean antecedent of the petitioner, and the nature of allegation alleged against the petitioner, this court finds that this is a fit case in which anticipatory bail should be granted to the petitioner. Accordingly, the above-named petitioner **Mohan Prasad**, is directed to be released on bail in the event of his arrest or surrender within 30 days from the date of receipt/production of this order on furnishing bail bond of Rs.10,000/-with two sureties of the like amount each to the satisfaction of learned court concerned, subject to the conditions that (1) One of the bailors must be from the native place of the petitioner (2) The petitioner shall file affidavit that he should not commit similar offence in future. (3) If at any stage of the case it is revealed to the court concerned that the petitioner has concealed his criminal antecedent to obtain bail, his bail bond shall be cancelled by the court concerned and (4) The petitioner shall fully cooperate in the trial of the case and shall be **physically present on each and every date till framing of charge** in case and violation of the aforesaid conditions will arise an occasion to cancel the bail bond of the petitioner.

(Dictated)

Sd/

(Kshiprachala Anjalee)
Addl. Sessions Judge-II, Danapur.

