

*Kanhaiya Jee Choudhary,
Principal District & Sessions Judge, Purnea,
BP No.-226/2026 (CIS No. 226/2026)
(Arising out of Dagarua P.S. Case No. 31/26)
Ejaharul & 02 others Vs State of Bihar
Order Dated:- 17.03.2026*

THE COURT OF PRINCIPAL DISTRICT AND SESSIONS JUDGE, PURNEA
Bail Petition No. 226/2026 (CIS No. 226/2026)
(Arising out of Dagarua P.S. Case No. 31/2026)

IN THE MATTER OF:-

1. Ejaharul, aged about 28 years, S/o Chethru,
 2. Md. Sajid, aged about 32 years, S/o Md. Sarif,
 3. Ebrar, aged about 40 years, S/o Md. Shamsher,
- All are resident of Village- Mahmadiya, Rahika Tola,
Ward No. 01, P.S. Dagarua, District Purnea. Petitioners.

Versus

State of Bihar Opposite Party.

Date of order or proceeding	Order with signature of the court	Office action taken with date
17.03.2026	1. This bail petition filed on 25.02.2026, on behalf of the petitioners, namely, (1) Ejaharul, (2) Md. Sajid and (3) Ebrar, who are in judicial custody since 06.02.2026, in connection with Dagarua P.S. Case no.- 31/2026 registered for the offence u/s. 303(2) of B.N.S. is put up for hearing. 2. Heard Sri Mani Kumar Singh, the learned counsel for the petitioners and Sri A.K.Tiwary, the learned P.P. appearing for the State. 3. The prosecution case, in brief, is that on 22.01.2026, at around 7:00 P.M., informant had parked his Super Splendor motorcycle (Registration No. BR11AF8548; Engine No. JA05EG59B38586; Chassis No. MBLJAR039J9B38233) which he had received as a gift during his wedding from its original owner, Md. Tajuddin (son of Ghulam Rasul, resident of Village Gandwas, P.S. Dagarua, District Purnea) on the road situated near Hichhamoti Pulwa, within the jurisdiction of the Dagrua Police Station. The informant had gone a short distance away to attend to nature's call and during this brief interval, the aforementioned vehicle was stolen by unknown thieves. 4. The learned counsel for the petitioners has submitted that	

Contd. 17.03.2026	the petitioners are innocent and they are not named in the F.I.R. The petitioners have got no manner of concern with the theft article in any manner and nothing is on record to implicate the petitioners either in the offence of theft or possessing stolen property. The petitioners have got clean antecedent and they are in judicial custody since 06.02.2026. So, prayed for bail. On the other hand, learned P.P. has strongly opposed the prayer of bail of the petitioners. 5. I have heard the rival submission of both parties and perused the case record and case diary. From perusal of the same it appears that this case pertains to the theft of the informant's Super Splendor motorcycle (Registration No. BR11AF8548) by unidentified thieves. Although the petitioners are not named accused in the F.I.R., but during the investigation police was informed through intelligence sources that the petitioners and co-accused Babul, all residents of Mahmadiya, Rahika Tola, Ward No. 01, P.S. Dagarua, District Purnea, are currently operating the stolen motorcycle from their homes and are attempting to sell the said vehicle. Based on the above information, all three petitioners were arrested by the police (para 22 and 23 of the case diary). Para 24 of the case diary contains the respective confessional statements of the petitioners, in which they admitted their guilt and stated that the stolen motorcycle was kept at the residence of their accomplice, Babul (co-accused). Subsequently, acting on the information provided by the petitioners, the police conducted a raid at the residence of co-accused Babul in the presence of two independent witnesses and recovered the stolen motorcycle (para 27 of the case diary). It appears that the petitioners, in collusion with their associates by forming a gang to commit	
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Date of Judgment/Order -	17.03.2026
Date of Reserving Judgment/Order -	17.03.2026
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