

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 08th April, 2026

Present:- Dinesh Sharma, Principal District & Session Judge, Saharsa

B.A. No. 131/2026 (Arising out of Saharsa Sadar P.S. Case No. 1310/2025)

Md. Akbar

..... Petitioner Vs State of Bihar

In the matter of :-

Md. Akbar S/o Md. Jumman

Resident of Village Patori, P.S. Bihra, District Saharsa.Petitioner

Vs

State of Bihar

.....Opposite Party

Appearance :-

For the Petitioner :- Md. Lukman Ali, Adv

For the State :- Sri Krishna Murari Prasad, Ld. P.P.

Sl. No.	Date of proceeding	Order with the signature of the court	Office action taken with date
	08.04.2026	This bail petition has been filed on behalf of the petitioner namely Md. Akbar S/o Md. Jumman who is in custody since 23.11.2025 in connection with Saharsa Sadar P.S. Case No. 1310/2025 registered under Sections 317(5) of BNS, 2023. 2. Heard the arguments of the learned counsel for the petitioner and the learned P.P. for the State. 3. It is submitted by the learned counsel for the accused petitioner that petitioner is in custody since 23.11.2025. It is further submitted that petitioner bears criminal antecedent of two cases, out of which in one of the case he is acquitted and in another case he is on bail. It is further submitted that petitioner is quite innocent and has committed no offence and he has falsely been implicated in this case. It is further submitted that the petitioner has been made accused on the basis of confessional statement of co-accused. It is further submitted that nothing has been recovered from the possession of the petitioner. It is further submitted that petitioner is labour and a man of means and there is no chance of his absconding or tampering with the evidence and he is ready to furnish sound sureties to the full satisfaction	

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Cont/2-
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of the court. Upon these grounds, the learned counsel prays to grant bail to the petitioner.

4. On the other hand, the learned P.P. has vehemently opposed the prayer of bail.

5. Rival submissions considered, Record perused.

6. The prosecution case, in short as per the typed report of informant P.S.I. Mukesh Kumar Singh is that on 22.11.2025 he alongwith armed force proceeded for evening patrolling duty. During patrolling at about 21:50 O'clock when he reached near Veer Kunwar Singh chowk saw a person arguing with a toto driver who was brought tot he police station on the basis of suspicion. On query he disclosed his name as Md. Akbar. On query he told that he has stolen jewellery, mobile and money. During search of the apprehended accused 59 notes of Rs. 500/- and 7 notes of Rs. 200/- and one note of Rs. 100 total amounting Rs. 31,000/- from the left jeans of his pocket and a golden colour android phone without sim was recovered. Again during search gold like mangtika -1, nose ring 1, broken nose string -1, and borken pieces of nose ring-2 piece, Mangalsutra 2, Nakmuni – 1, nose ring2, mangtika string 2 were also recovered from the white colour shoe worn by him on his left foot. On query about the stolen goods he disclosed that he had stolen mobile, money and jewellery from a train coming from Patna at Danapur railway station.

7. The petitioner is in custody since 23.11.2025. The investigating agency has not collected any independent admissible evidence that the jewelleries and money allegedly recovered from the petitioner is stolen property. Charge-sheet in this case has already been filed. The petitioner was having involvement in two

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Cont/3-
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cases. However as per para 3 of the petition the petitioner bears criminal antecedent of two cases in which one case he is acquitted and in another case he is on bail.

8. Considering the period of custody and considering the fact that the investigating agency has not collected any independent evidence to show that allegedly recovered jewellery and money is stolen property a case to grant bail to the petitioner accused namely Md. Akbar is made out. Resultantly the prayer for bail is **allowed**. The petitioners be released on bail subject to his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties in the like amount to the satisfaction of the learned Magistrate where the case is presently pending further subject to the conditions as laid down under Section 480(3) of the BNSS. Further condition that if after release on bail in this case, the petitioner is found involved in any other case or commits any other offence than the bail granted by this order shall stand cancelled without any order.

(Dictated)


(Dinesh Sharma)
Principal Sessions Judge,
Saharsa
08.04.2026

Date of Judgement/Order	08.04.2026
Date of Reserving Judgement/Order	08.04.2026
Uploading Date	13-04-26
Uploaded by	Daved Haider