

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 4th April, 2026

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

B.A. No. 139/2026 (Arising out of Saharsa Sadar P.S. Case No. 1053/2025)

Arun Kumar Sharma

..... Petitioner Vs State of Bihar

In the matter of :-

Arun Kumar Sharma S/o Ramkishun Saharma

Resident of Village Dumri Lalpur, Ward No. 11, P.S. Raghopur, District
Supaul.Petitioner

Vs

State of Bihar

.....Opposite Party

Appearance :-

For the Petitioner :- Sri Ranbir Jha, Advocate

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

Date of proceeding	Order with the signature of the court	Office action taken with date
04.04.2026	This bail petition has been filed on behalf of the petitioner namely Arun Kumar Sharma S/o Ramkishun Saharma who is in custody since 23.09.2025 in connection with Saharsa Sadar P.S. Case No. 1053/2025 registered under Sections 331(4), 305 of of BNS, 2026. 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 23.09.2025. It is further submitted that petitioner bears criminal antecedent of six cases in which three of the 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 neither any incriminating article has been recovered from the possession of the petitioner nor he has arrested on the spot. It is further submitted that petitioner has been remanded in this case from Saharsa P.S. Case No. 1050/2025. It is further submitted that petitioner is a man of means and there is	

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Cont/2-
04.04.2026

no chance of his absconding or tampering with the evidence in this case and he is ready to furnish sound sureties to the full satisfaction 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 as emerges from the fardbeyan of informant Arvin Kumar Singh is that in the night of 10.09.2025 some thieves broke the lock of the grill of gate of his house and entered the house and committed theft. He has gone to Delhi to get his wife treated. On 10.09.2025 in the morning when he saw CCTV footage installed in his house then he know about the theft in his house. Thereafter he informed to the nearby people then they called on 112. On his request when the nearby people and 112 team entered into his house they found the lock of all the three almirah were broken and all the articles were found scattered. Thereafter he reached immediately at his house on 11.09.2025 and found all the articles in his house scattered.

7. The petitioner is in custody since 23.09.2025. the investigation is complete and charge-sheet has already been filed except the statement of the investigating officer as mentioned in para 17 of the case diary that the accused resembles the person seen in the CCTV footage, there is no other evidence connecting the petitioner to the incident in question.

8. The petitioner is having involvement in 6 criminal cases however only on the basis of criminal antecedents the petitioner can not be denied bail. For reference **Prabhakar Tewari Vs the State of U.P. (2020) 11 SCC648** may be seen.

9. Considering the nature of offence, supporting

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Cont/-3
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material in support of allegation, the period of custody, a case to grant bail to the petitioner accused namely **Arun Kumar Sharma** is made out. Resultantly the prayer for bail is **allowed**. The petitioner be released on bail subject to his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of 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.

(Dictated)

DS

(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

04.04.2026

Date of Judgement/Order	04.04.2026
Date of Reserving Judgement/Order	04.04.2026
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