

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 10th April, 2026

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

B.A. No. 162/2026 (Arising out of Simri Bakhtiyarpur P.S. Case No. 315/2024)

Ramesh Yadav

..... Petitioner Vs State of Bihar

In the matter of :-

Ramesh Yadav S/o Chalitar Yadav

Resident of Village Pipra, P.S. Salkhua, District Saharsa.**Petitioner**

Vs

State of Bihar

.....**Opposite Party**

Appearance :-

For the Petitioner :- Sri Yognandan Yadav, Advocate

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
	10.04.2026	This bail petition has been filed on behalf of the petitioner namely Ramesh Yadav S/o Chalitar Yadav who is in custody since 12.02.2026 in connection with Simri Bakhtiyarpur P.S. Case No. 315/2024 registered under Sections 309(4) 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 12.02.2026. It is further submitted that petitioner bears criminal antecedent of three cases and in all cases 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 neither he was arrested on the spot nor anything has been recovered from the possession of the petitioner. It is further submitted that co-accused persons have been granted bail by this court and the case of petitioner stands on same footing. It is further submitted that petitioner is a man of means and there is no chance of his absconding	

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<u>Cont/2-</u> <u>10.04.2026</u>	or tampering with the evidence 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 mentioned in written report lodged with Simri Bakhtiyarpur P.S. by informant Soman Yadav in short is that on 10.07.2024 at about 09:30 P.M. he alongwith his daughter Archana Kumari aged about 16 years was going to his sister's house on Hero Splendor motor-cycle bearing Regd No. BR199657 belonging to brother-in-law Santosh Kumar to attend the marriage ceremony of his bhagini and when he reached in the north side of Bhowra Bridge then three persons wearing mask on his face riding on motor-cycle came there and stopped his bike and snatched his RED ME Mobile bearing Airtel SIM No. 8877344051 and his motor-cycle on the point of weapon and fled away rapidly towards the north direction. 7. The petitioner is in custody since 12.02.2025. The name of the petitioner is not mentioned in the FIR. Charge-sheet has already been submitted in this case without putting the petitioner on TIP. Nothing incriminating article has been recovered from or at the instance of the petitioner. The petitioner was not seen in the vicinity of the place of incident at the time of incident. Though the petitioner is having criminal antecedent of three cases. However, merely on the basis criminal antecedent the petitioner can not be denied bail. [For reference Prabhakar Tewari Vs the State of U.P. (2020) 11 SCC 648 may be seen.]	
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Cont/3-
10.04.2026

8. Considering the totality of the facts and circumstances and the period of custody undergone by the petitioner and further considering the fact that charge-sheet has already been filed, a case to grant bail to the petitioner accused namely Ramesh Yadav 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 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.

(Dictated)

DS

(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

10.04.2026

Date of Judgement/Order	10.04.2026
Date of Reserving Judgement/Order	10.04.2026
Uploading Date	16-04-26
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