

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 05th May, 2026

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

B.A. No. 172/2026 (Arising out of Sonbarsa Raj P.S. Case No. 39/2026)

Md. Mustak

... Petitioner Vs State of Bihar

In the matter of :-

Md. Mustak S/o Md. Murtuja

Resident of Village Rasalpur, Fakirachak, P.S. Banma Itahari, District Saharsa.

.....Petitioner

Vs

State of Bihar

.....Opposite Party

Appearance :-

For the Petitioner :- Sri Upendra 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
05.05.2026	This bail petition has been filed on behalf of the petitioner namely Md. Mustak son of Md. Murtuja who is in custody since 24.02.2026 in connection with Sonbarsa Raj P.S. Case No. 39/2026 registered under Sections 303(2), 317(2) of BNS. 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 23.12.2025. It is further submitted that petitioner is quit innocent has falsely been implicated in this case. It is further submitted that petitioner bears no criminal antecedent. It is further submitted that the alleged sections are not applicable against the petitioner. It is further submitted that petitioner is a man of means and there is 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 petitioners. 4. On the other hand, the learned P.P. has opposed the prayer of bail. 5. Rival submissions considered, Record perused. 6. The prosecution case, in brief, is that as per the typed report of informant PSI Sadanand Singh is that 23.02.2026 at about 18:15 O'clock the members of police team namely Pappu Kumar and Jayram Yadav raised alarm that a person was opening the luggage of the	

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vehicles parked on the south west side of the police station where there is no boundary wall. For verification he went there with police team saw a person holding two screwdrivers and a ring rick in his hand. On query he disclosed his name as Md. Mustak and he confessed that he is stealing a truck by removing its axles. Upon further questioning he confessed to hiding the axles of two trucks and being caught removing the axles of third truck. Thereafter seizure list was prepared and a copy of which was handed over to the accused and also informed to his brother.

7. The petitioner is in custody since 23.12.2025. The age of petitioner is 19 years. The petitioner is having no criminal antecedent as mentioned in para 23 of the case diary. Charge-sheet in this case has already been filed.

8. Considering the totality of the facts and circumstances a case to grant bail to the petitioner is made out. Resultantly the prayer for bail is **allowed**. The petitioner **Md. Mustak** 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)


(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

05.05.2026

Date of Judgement/Order	05.05.2026
Date of Reserving Judgement/Order	05.05.2026
Uploading Date	07-05-26
Uploaded by	Jawed Haider