

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 05th June 2026

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

B.A. No. 303/2026 (Arising out of Sonbarsa Kachahari P.S. Case No. 12/2026)

Sanjeet Kumar @ Manjesh

..... Petitioner Vs State of Bihar

In the matter of :-

Sanjeet Kumar @ Manjesh S/o Parvesh Sharma

Resident of Village Bishahpur, P.S. Sonbarsa Kachahari, District Saharsa.

....Petitioner

Vs

State of Bihar

.....Opposite Party

Appearance :-

For the Petitioner :- Sri Sudesh Kumar Singh, 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
	05.06.2026	This bail petition has been filed on behalf of the petitioner namely Sanjeet Kumar @ Manjesh S/o Parvesh Sharma who is in custody since 26.01.2026 in connection with Sonbarsa Kachahari P.S. Case No. 12/2026 registered under Section 309(6) 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 26.01.2026. It is further submitted that petitioner bears no criminal antecedent. 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 is neither named in FIR nor he has been arrested on the spot. It is further submitted that nothing has been recovered from the possession of 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 and	

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 05th June 2026

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

B.A. No. 303/2026 (Arising out of Sonbarsa Kachahari P.S. Case No. 12/2026)

Sanjeet Kumar @ Manjesh

..... Petitioner Vs State of Bihar

<u>Cont/2-</u> <u>05.06.2026</u>	he is ready to abide all the terms and conditions imposed by 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 brief, is that as per the typed application of informant Md. Samim Khan is that on 23.01.2026 he went to his house Sitanabad from Saharsa when he reached near Village Vishanpur at about 22:00 O'clock saw two persons sitting at the pulia and after seeing him both of them stood up and one of them had a knife in his hand and another have axe like weapon made from chain link. When he tried to turn his motor-cycle then one of them came there and stabbed him on back by knife. Then he took out the key and tried to flee away on foot then the other man tried to snatch his key in the meantime the man holding the knife stabbed him again on the left side of his chest and forcing him to drop the key. Meanwhile two more persons armed with iron rod came there. Thereafter he left his bicycle and fled away from there. Thereafter all the four miscreants fled away from there towards Kharagpur on Yamaha M.T. Motor-cycle bearing No. BR19V9678. He could not identify them because their faces were covered with masks. Thereafter he called his family members and thereafter he brought to Sub Divisional Hospital, Simri Bakhtiyarpur for treatment. 7. Admittedly the name of the petitioner is not mentioned in the FIR. The name of the petitioner has come in this case through the disclosure statement of co-accused Rajeev	
-------------------------------------	--	--

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 05th June 2026

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

B.A. No. 303/2026 (Arising out of Sonbarsa Kachahari P.S. Case No. 12/2026)

Sanjeet Kumar @ Manjesh

..... Petitioner Vs State of Bihar

<u>Cont/3-</u> <u>05.06.2026</u>	Kumar. Confessional statement/disclosure statement of co-accused made before the police is not admissible in evidence. Admittedly there is no recovery from or at the instance of the petitioner. The petitioner in custody since 26.01.2026 having clean past antecedent. Charge-sheet in this case has already been submitted without putting the petitioner on TIP. 8. Considering the totality of the facts and circumstances a case to grant bail to the petitioner accused namely Sanjeet Kumar @ Manjesh 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. 9. Before parting with this order, this court would like to observe that the investigation conducted in this case is not proper. The investigating officer has merely recorded the confessional statement of the co-accused and this accused. It is elementary knowledge that the confession made in the custody of the police is not admissible in evidence. The Investigating Officer and the concerned S.H.O. have filed the charge-sheet without collecting any admissible evidence against the petitioner. This is the case of robbery. The Investigating Officer ought to have properly and fairly investigate the case so that the actual miscreants may be brought to justice. However, after doing formality in the name of investigation, the I.O. has filed charge-sheet in this case. 10. Office is directed to send a copy of this	
-------------------------------------	---	--

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 05th June 2026

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

B.A. No. 303/2026 (Arising out of Sonbarsa Kachahari P.S. Case No. 12/2026)

Sanjeet Kumar @ Manjesh

..... Petitioner Vs State of Bihar

Cont/4-
05.06.2026

order to the Superintendent of Police Saharsa and the District Magistrate, Saharsa. The Superintendent of Police Saharsa and the District Magistrate, Saharsa may discuss the issue in the monthly meeting if they wish to do so.

11. This court has observed the above fact to ensure the fair and proper investigation which is the facet of Article 21 of the Constitution of India is ensured in criminal cases.

12. With the above observations, the petition stands disposed of.

(Dictated)

Sd/-

(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

05.06.2026

Date of Judgement/Order	05.06.2026
Date of Reserving Judgement/Order	05.06.2026
Uploading Date	08.06.2026
Uploaded by	Sachin Kumar