

R.B.A. No. 395/2026

&

R.B.A. No. 417/2026

1. Sanjeeb Kumar &

2. Sunil Kumar Chaudhary.....Petitioners

Versus

The State of Bihar

O R D E R

20.06.2026 The regular bail application No. 395/2026 has been filed on behalf of accused-petitioner namely, **Sanjeeb Kumar** and one another regular bail application No. 417/2026 has been filed on behalf of accused-petitioner namely, **Sunil Kumar Chaudhary** separately.

Both applications for regular bail arose from the same occurrence and same P.S. which are taken together for hearing and order. Both petitioners are in judicial custody since 20.05.2026 in connection with Bihra P.S. case No. 175/2026 for committing offence under section 331(4) and 305 of Bharatiya Nyaya Sanhita and the same is pending in the court of Sri Subham Kumar, Ld. J.M. 1st Class, Saharsa.

Heard, Ld. defence counsels for the petitioners, Sri Mrityunjay Singh and Sri Indra Bhushan Prasad Yadav, respectively and Sri Hari Shekhar Mishra, Ld. A.P.P. for the State.

Learned counsels for the petitioners submitted that the petitioners are quite innocent and have committed no offence at all and they have falsely been implicated in this case. No any bail petitions of these petitioners have been filed either before this learned court or the Hon'ble Court. It has further been submitted that the allegations against these petitioners are completely false and concocted. It has specifically been stated that the petitioners have no criminal antecedents. Petitioners are not arrested on the spot and no any looted articles has been

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recovered from the petitioners. Petitioners are men of means and there is no chance of their absconding or tampering with the evidence. Petitioners are ready to abide by the conditions which may be imposed by this court. Thus, Ld. counsels pray that the petitioners may be enlarged on bail.

Ld. A.P.P. vehemently opposed the prayer for bail on the ground that the allegation against the petitioners are serious in nature. Therefore, they do not deserve to be released on bail.

The prosecution story as based on written application of informant Mamta Devi, who reported a housebreaking and theft that occurred at her father's residence, while her parents were away for visiting her elder brother, Vivekanand Singh, in Bilaspur, Chhattisgarh. On May 17, 2026, her brother Vivekanand, received a phone call around 7:30 p.m. from a neighbor, Vikram Prasad Singh, who noticed an open window at the house and suspected some untoward incident, prompting the brother to relay this information to informant by phone around 9:00 p.m. that night. Upon arriving at her father's residence with her husband on 18.5.2026, informant discovered that all the internal locks of her father's house had been broken, the rooms ransacked, and various valuable belongings stolen by unknown miscreants. The stolen property included a 20g gold chain, a 5g gold jhumka, a 6g gold locket, ten pieces of silver paan weighing approximately 150g, ten pieces of silver supari weighing approximately 100g, two pieces of silver fish weighing approximately 250g, two silver glasses weighing approximately 500g, two silver spoons weighing approximately 100g, one silver god idol weighing approximately 250g, twenty pieces of sarees, one gas cylinder, and an extensive assortment of brass utensils consisting of five large kadhai, three kalash, three khankhad, five plates, five lota, five bowls, five glasses, five ladles, six pieces of soup bowls, and one bucket, along with other unlisted items. Hence, this FIR is lodged.

Perused the record. On perusal of record it appears that this case is registered for the offence punishable under sections- 331(4) and 305 of Bharatiya Nyaya Sanhita and the petitioners are not named in the FIR

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but their names came into picture during course of investigation in the confessional statement of co-accused Saurabh Kumar available in paragraph no. 18 of the case diary. Petitioners are alleged to have committed theft of FIR mentioned valuable items from the house of informant's father and alleged the sale of stolen silver fish to the petitioner Sanjeeb Kumar for Rs. 1800/- and three brass soups were recovered from the house of another petitioner Sunil Kumar Chaudhary in instance of the confessional statement of Saurabh Kumar. Further petitioners are in judicial custody since 20.05.2026 and having no criminal antecedents behind their backs. The investigation in this case is still in progress and final conclusion is yet to come.

Having gone through the above discussions, considering the facts and circumstances of case as well as period of custody of the petitioners, I am inclined to release the accused petitioners on bail, Hence, the prayer for bail of **accused petitioners namely, 1. Sanjeeb Kumar, and 2. Sunil Kumar Chaudhary is allowed** and directed to be released on furnishing bail bonds of **Rs. 10,000/- with two sureties** of like amount, the same on satisfaction of the court of Sri Subham Kumar, Ld. J.M.F.C., Saharsa, out of whom **one bailor must be close relative with further direction to co-operate in the investigation of the case and must not threaten the informant and witnesses of the case, failing which the bail bond of petitioner may be cancelled on the same day.**

Dictated & corrected by me

Sd/-

Distt. & Addl. Sessions Judge-II
Saharsa. 20.06.2026