

In the Court of Principal District & Sessions Judge, Samastipur

B.P. No. 636 of 2026

(Arising out of Halai P.S Case No. 71/2026)

Rakesh Ram, S/o – Dhaneshwar Ram

R/o- Vill – Larua @ Banbira, P.S – Halai, Distt – Samastipur

...Petitioner

Vrs.

The State of Bihar

...Opposite Party

Presiding Officer – Sri Samir Kumar, Sessions Judge, Samastipur

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04.06.2026 Heard Sri Vimal Kishore Ray, learned counsel appearing on behalf of the accused/petitioner and Sri Shiv Kumar Prasad, learned P.P for the State on the bail petition of accused/petitioner named above, who is in custody since 20.04.2026 in connection with Halai P.S. Case No. 71/2026 registered under Sections 123, 111(2), 303(2), 3(5) of the B.N.S.

As per F.I.R, allegation against the miscreant is that while the informant was going to deliver goods by Pickup Van bearing Reg No. BR01GQ4924 from Airtel Ware House by Chatarbhuj Transport and when he reached at Chaklalshahi Aakash Medical, two boys came on a motorcycle and asked the informant for going to Patna to deliver goods and after unloading the goods of Airtel Ware House, the informant went with his Pick-up Van with miscreants and when he reached at Tiswara Petrol Pump, miscreants asked the informant to park his Van and after parking the same the informant went with miscreants on motorcycle in the house of Sunil

Sahni thereafter miscreants brought three bottle of Maza (Coal Drink) and gave the informant and after drinking the same, the informant got unconscious and when he woke up then he saw that miscreants committed theft of Pickup-Van, mobile phone and Rs 5000/-.

The Ld. Counsel appearing on behalf of the petitioner submitted that petitioner is quite innocent and he has committed no offence and he has falsely been implicated in this case. Further submitted that allegations levelled against the petitioner is false, frivolous, baseless and concocted. Further submitted that though petitioner has criminal antecedent i.e Patepur P.S Case No. 268/2024, Mahisaur P.S Case No. 267/2024 and Halai P.S Case No. 100/2024 but only because of that he should not be denied bail. Lastly submitted that accused/petitioner is in custody since 20.04.2026 so, prayed to release the petitioner on bail.

The learned P.P vehemently opposed the prayer of bail and submitted that accused/petitioner alongwith other co-accused are involved in commission of crime. Further petitioner is not named accused in this case but he has confessed his involvement in the commission of crime as mentioned in para – 30 of the case diary so, petitioner does not deserve bail.

On perusal of the record, it appears that allegation against the petitioner is that he alongwith other co-accused committed theft of Pickup-Van, mobile phone and Rs 5000/- of the informant after giving him noxious substance in coal drink (Maza). Copy of case diary has been submitted from para 01 to 81 of the case diary. The witnesses supported the occurrence in

the case diary. In para – 30 of the case diary petitioner Rakesh Ram has confessed his complicity in the case and stated that how, he alongwith other co-accused has committed the incident. Further in para – 42 of the case diary, co-accused Kundan Kumar has confessed his complicity in this case and stated that after commission of crime he and other co-accused including petitioner sent loaded materials on Pickup-Van to other place and brother of co-accused Kundan Kumar took the Van with him. Further they removed the SIM from Mobile phone of the informant and threw it in the orchard of Vinay Ray Mukhiya which has been recovered by police as mentioned in para – 43 of the case diary. Further in para – 19 of the case diary informant identified the miscreants who has involved in the commission of crime which reveals from CCTV footage installed in Aakash Medical.

Therefore, considering the aforementioned facts and circumstances of the case, I am not inclined to enlarge the accused/petitioner on bail, accordingly, prayer for bail of petitioner stands rejected.

(Dictated)

Sessions Judge

Date of Judgment / Order	04.06.2026
Date of Reserving Judgment / Order	04.06.2026
Uploading Date	06.06.2026
Uploaded by	Ashish Kumar