

In the Court of Sri Santosh Kumar Tiwary
Principal District & Sessions Judge, Sheikhpura.
B.P. No:- 615/2026
State of Bihar vs. Sunil Kumar.

Sunil Kumar, S/o Ramdhani Ram
R/o Village – Hanuman Nagar, Narayanpur, P.S. – Barbigha
District – Sheikhpura.....Petitioner.

Vs.

The State of Bihar.....Opposite Party.

For the Petitioner :- Sri Birendra Kumar, Chief L.A.D.C.

For the O. P. (State) :- Sri Uday Narayan Sinha, Ld. P. P.

ORDER

15.06.2026 Bail petition has been filed on behalf of the accused petitioner Sunil Kumar **under custody since 26.05.2026** in connection with Barbigha P.S. Case No. 123/2025. The present case has been registered against the unknown for committing the offence U/s. 331(4), 305 of B.N.S. During the course of investigation, the name of accused petitioner came in this case with the allegation that he has committed the alleged offence of theft. Hence, he has moved this bail petition U/s. 483 of B.N.S.S-2023. Trial Court record has been received.

As per written report of informant Upendra Kumar, prosecution story in brief is that on 14.06.2025, at about 10:00 P.M., after having a meal, he was sleeping on the roof with his family, while only his younger son, Vivek, was sleeping in the room downstairs. Meanwhile, at about 2:00 A.M. on 15.06.2025, his elder son, Vikash Kumar, woke up to drink water and noticed that the door was open. He called out to wake his father, who then came down from the roof and went to the room; there, he discovered that the door was open and that approximately fifteen to sixteen thousand rupees, along with Vikash Kumar's Realme touchscreen mobile phone (containing SIM numbers 6203411316 and 8651458416, and IMEI numbers 862460059547797 and 862460059547789), were missing.

Learned Advocate for the petitioner has submitted that petitioner is innocent and has not committed any offence, rather he has been falsely implicated in this case. Earlier, the accused petitioner has not filed any bail petition before this Court or before Hon'ble High Court, Patna. The accused petitioner has no criminal antecedent. The petitioner is a shopkeeper in Barbigha market and has been falsely implicated in this case. The mobile phone in question had been left at his shop by a customer about 15 days earlier and was kept there so it could be handed over to the customer upon their return. The petitioner is innocent and has not committed any offence. The accused petitioner is in judicial custody since 26.05.2026. The accused petitioner is a law-abiding person, and he is ready to obey every direction of this Court.

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15.06.2026 Ld. P.P. opposed the prayer for bail and has submitted that accused petitioner is involved in the alleged crime. He further said that the investigation in the case is almost complete and the Investigating Officer has informed that he is going to file the charge-sheet in the trial court today itself.

Heard the learned Advocate for the accused petitioner as well as Ld. Public Prosecutor and perused the record. From perusal of the case record, it transpires that the accused petitioner is not named in the FIR, during the course of investigation the name of accused petitioner came in this case. There is no eyewitness against the accused petitioners and accused petitioner has not been arrested on the spot. The present case has been registered against the unknown for committing the offence U/s. 331(4), 305 of B.N.S. Ld. P.P. stated that the investigation into the case is nearly complete and the charge-sheet is likely to be filed today itself. As per Para 3 of bail petition of accused petitioner, the accused petitioner has no criminal antecedent and there is no mention about the criminal history of the accused petitioner in the case diary. Further the accused petitioner is in judicial custody since 26.05.2026. Considering the above facts and circumstances, the present bail petition of accused petitioner Sunil Kumar is hereby allowed and accused petitioner Sunil Kumar be enlarged on bail on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of Ld. Trial Court, subject to the condition that –

- 1. One of the sureties shall be close relative of accused petitioner.**
- 2. Accused petitioner shall appear before the Ld. Trial Court on each and every dates till framing of the charge.**
- 3. Accused petitioner shall provide his mobile number and Whats App number in writing to the Ld. Trial Court at the time of furnishing bail bond, and shall also undertake not to change his mobile number until the trial is concluded without the permission of the Ld. Trial Court.**

Dictated.

Principal District & Sessions Judge
 Sheikhpura.
 15.06.2026

Date of Judgment / order	15.06.2026
Date of Reserving Judgment / order	N/A
Uploading Date	16.06.2026
Uploaded by	Md. Fazal Ahmed (Stenographer)

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