

In the court of Ist Addl. Sessions Judge, Sheikhpura.
Presiding Officer: Sri Neeraj Kishore
Bail Petition No. 620/2026
Nitish Kumar Vs. State of Bihar

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Bail Petition No. 620/2026
Nitish Kumar Vs. State of Bihar
Arising out of Karandey P.S Case No. 44/2026
U/s – 303(2), 317(2) of BNS.

1. Nitish Kumar, aged about 25 years
S/o Bhola Yadav
R/o Vill. – Thansinh Dih
P.S – Lokai
Dist.- Giridih, Jharkhand

..... **Petitioner**

Vs.

State of Bihar

..... **O.P**

Counsel for the petitioner ----- Sri Manoj Kumar, Ld. Advocate
Counsel for the State ----- Sri Shambhu Sharan Prasad, Ld. Addl. P.P

ORDER

16.06.2026 Bail petition dated 04.06.2026, filed on behalf of the accused/petitioner Nitish Kumar who is in custody since 18.05.2026 in connection with Karandey P.S Case No. 44/2026, under Sections- 303(2), 317(2) of BNS pressed today.

Pressing the bail petition, learned counsel for the petitioner has submitted that no bail petition either regular or anticipatory has been filed on behalf of the petitioner either before this Sessions Division or before the Hon'ble High Court and the petitioner has no criminal antecedent. It has been further submitted that the petitioner is quite innocent and has committed no offence and has been falsely implicated in this case. It has been submitted that the petitioner purchased the vehicle bonafidely without having any knowledge that the vehicle in question was a theft vehicle. It has been submitted that the petitioner is in custody

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and is ready to abide by all the conditions imposed by the Court. Learned counsel has sought to enlarge the petitioner on the privilege of bail.

On the other hand, learned Addl. P.P. has opposed the petition for bail.

Case diary has been received.

I have heard the submissions and gone through the materials available on the record, it transpires that no other bail petition of any nature is pending on behalf of the petitioner, either before this Sessions Division or before the Hon'ble High Court and nothing has been mentioned in the case diary with regard to the criminal antecedent of the petitioner. It transpires that the instant FIR has been instituted at the instance of informant P.S.I. Lalit Kumar alleging therein that on 17.05.2026 he along with other police personnel was on evening patrol and was checking the vehicles. It is alleged that near Lutaut-Chhathiyara more at about 08:45 PM a person riding on a Passion Pro Motorcycle bearing Registration No. BR 06 BG 8609 was apprehended and on checking the said registration no. on chalan machine, the owner of the vehicle could not be displayed and when the chasis no. was entered, it revealed that it was a stolen motorcycle for which Town P.S. Case No. 767/2021 under Vaishali District was instituted. It is the case of the prosecution that at night, no independent witness could be found as such, in presence of two police witnesses, the informant gave its search and seizure list was prepared, in the light of torch and a copy of the same was handed over to the apprehended accused against his signature who disclosed his name as Nitish Kumar. The apprehended accused was formally arrested and the vehicle along with the accused was brought to the police station.

Perusal of the case diary shows that the informant has supported his case in his restatement at Para 6 and the witnesses at Para 7 and 8 have also supported the prosecution case. The seizure list at Para 2 shows that a Passion Pro Motorcycle bearing Registration No. BR 06 BG 8609 having Chasis No. MBLHA10BSG HK18452 was seized from the possession of the petitioner. The seizure list bears the signature of the petitioner. It further transpires from the FIR itself that the allegedly seized motorcycle was a stolen motorcycle for which Town P.S. Case No. 767/2021 under District Vaishali was instituted. It appears that the petitioner was apprehended with the theft motorcycle and could not produce any document relating to its purchase. The petitioner is named in the FIR and the involvement of the

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petitioner in the alleged offence cannot be ruled out. The case is still at the stage of investigation and charge-sheet has not been submitted.

Thus, considering the nature of offence and its gravity as well as the fact that the petitioner was apprehended red-handed with the stolen motorcycle for which no explanation could be tendered, as such, I do not find any merit in the instant bail petition at this stage. Consequently, the bail petition dated 04.06.2026 stands **rejected**. The petitioner may renew its prayer for bail after submission of charge-sheet.

Let a copy of this order be transmitted to the Id. Trial Court forthwith.

Dictated

Sd/-

(Neeraj Kishore)
Addl. Sessions Judge- 1st,
Sheikhpura

Memo No. Dated 16.06.2026 sent to the Ld. Court of Kumari Mithu Rani, J.M.F.C., Sheikhpura alongwith order dated 16.06.2026 passed in BP No. 620/2026.

Dictated

(Neeraj Kishore)
Addl. Sessions Judge- 1st,
Sheikhpura

Date of Judgment /Order	16.06.2026
Date of Reserving Judgment/Order	16.06.2026
Uploading date	17.06.2026
Uploaded by	Md. Reyazul Haque