

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,  
SITAMARHI.

Dated, Sitamarhi, the 10<sup>th</sup> April, 2026.

Present:- Akhilesh Kumar Jha, Principal District & Sessions Judge,  
Sitamarhi.

B.P No. 164/26.

In the matter of :-

Chhotu Kumar S/O Vinod Kumar , R/O Bangaon, PS- Bajpatti,  
Distt.-Sitamarhi.....Petitioner.

V/S

State of Bihar.....Opposite Party.

Appearance:

For the petitioner:- Sri Ramesh Chandra, Advocate.

For the State:- Sri Prafulla Kumar Jha, I/C P.P.

Date of order or proceeding.	Order with the signature of the court.	Office action taken with date.
<u>10.04.2026.</u>	<p>This bail petition has been filed on behalf of the petitioner namely, 1.Chhotu Kumar who is in custody since 11.1.2026 in connection with Bajpatti PS Case No. 209/25 registered u/s: 309(4) BNS.</p> <p>2. Heard the learned counsel for the petitioners and the learned PP I/C for the State.</p> <p>3. It is submitted by the learned counsel for the petitioners that the petitioner is quite innocent and has falsely been implicated in this case. All the allegations levelled against the petitioner are false and baseless. The petitioner is not named in the FIR. His name figured in the confessional statement of co-accused Manish Kumar, which has no evidentiary value in the <del>eye</del> of law. Nothing incriminating material has been recovered from possession of the petitioner. The petitioner has no criminal antecedent. The petitioner is in custody since 11.1.2026. On the grounds, the learned counsel prayed for grant of bail to the petitioner.</p> <p>4. The learned PP I/C opposed the prayer for bail and submitted that name of the petitioner has come in the confessional statement of co-accused Manish Kumar and looted motor-cycle and</p>	

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mobile have already been recovered from house of co-accused Manish Kumar. Charge-sheet against co-accused Manish Kumar has been submitted and regarding petitioner investigation is pending. However, in case diary submitted by the I.O there is no mention about TIP of the petitioner.


5. Heard both sides and perused the record.

6. The prosecution case, in short, as per written application of the informant namely, Pawan Mallik is that on 31.8.2025 at 8.00 hours while the informant was going to village Bangaon, at some distance of Bodhayan temple, three unknown persons stopped him and looted his motorcycle bearing Reg. No. BR7V-0654, mobile with SIMs and cash RS. 7,00/- pointing arms at him.

7. Perusal of record shows that the petitioner is not named in the FIR. His name surfaced in the confessional statement of co-accused Manish Kumar. Nothing incriminating materiald has been recovered from possession of the petitioner. As per para- 3 of bail petition, the petitioner is having no criminal antecedent. The petitioner is in custody since 11.01.2026.

9. Considering the aforesaid facts & circumstances of the case , prayer for bail of the petitioner is allowed. The petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Magistrate where the case is presently pending further subject to the conditions as laid down u/s: 480(3) BNSS.

(Dictated)

  
Principal Sessions Judge,  
Sitamarhi.  
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Date of Judgment /Order	10.04.2026.
Date of Reserving Judgment/Order	10.04.2026.
Uploading Date	12/4/2026
Uploaded by	Prashant Kumar