

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

Dated, Sitamarhi, the 18<sup>th</sup> April, 2026.

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

B.P No. 220/26.

In the matter of :-

Surendra Kumar @ Surendra Rai S/O Late Umedra Rai, R/O Sirouli, PS- Riga,  
Distt. Sitamarhi.....Petitioner.

V/S

State of Bihar.....Opposite Party.

Appearance:

For the petitioner:- Sri Laxmikant Jha, 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>18.04.2026.</u>	<p>This bail petition has been filed on behalf of the petitioner namely, Surendra Kumar @ Surendra Rai who is in custody since 26.03.2025 in connection with Bathnaha PS Case No. 498/24 registered u/s: 309(4) BNS.</p> <p>2. Heard the learned counsel for the petitioner and the learned I/C PP for the State.</p> <p>3. The learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in this case. All the allegations levelled against the petitioner are false and baseless. Nothing incriminating material has been recovered from possession of the petitioner. The petitioner has criminal antecedents of 13 cases. The petitioner is in custody since 26.03.2025. Other co-accused has been granted bail vide BP 651/25 and case of petitioner is on similar footing in this case. On these grounds, the learned counsel prayed for bail to the petitioner.</p> <p>4. The learned I/C PP opposed the prayer for bail, however fairly submitted that except confessional statement of petitioner there is no any evidence against him showing his involvement</p> <p>5. The prosecution case, in short, as per written application of the informant namely,</p>	

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Tribhuwan Kumar is that on 30.10.2024 at 1.00 PM while the informant was going to Maibi bazar by his motorcycle bear bearing Reg. No. BR 30M 9815, on the way, borne three persons on Apache motor-cycle stopped him and looted his bag containing Tab, charger etc. on the point of pistol.

6. Perusal of record shows that the petitioner is not named in the FIR. His name has been surfaced in confessional statement of accused persons. Nothing incriminating material has been recovered from possession of the petitioner. No TIP has been conducted in the case. The petitioner is in custody since 26.3.2025.

7. Although, the petitioner has criminal antecedents. But, the Hon'ble Supreme Court in the case of Prabhakar Tiwari Vrs. State of U.P and another, (2020) 11 SCC-648 has observed that pendency of several criminal cases against the accused may itself cannot be a basis for refusal of bail.

8. Considering the aforesaid facts & circumstances of the case, 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 Court where the case is presently pending further subject to the conditions as laid down u/s: 480(3) BNSS.

(Dictated)

(Akhilesh Kumar Jha)  
Principal Sessions Judge,  
Sitamarhi.  
18.04.2026.

Date of Judgment /Order 18.04.2026.

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<u>Contd.</u> <u>18.04.2026.</u>	Date of Reserving Judgment/Order	18.04.2026.
	Uploading Date	21/4/2026
	Uploaded by	Purushottam Kumar