

In the Court of Sessions Judge, Supaul
A.B.A.-275/2026
(Arising out of Kishanpur PS Case No:-25/2026)

<p><u>Contd.</u> <u>24/03/2026</u></p>	<p>guard was taken to PHC Kishanpur. On the basis of the above-said written application of the informant, the FIR was registered against the unknown persons.</p> <p>Argument heard from both sides and perused the record as well as case diary. As per para No.2 of the case diary, first of all, the police has apprehended the accused Mehadi Alam and recorded his confessional statement. In his confessional statement accused Mehadi Alam has specifically stated to the police that on 25.01.2026 at the pointing of accused Tulsi Swarnkar, the petitioner herein, he along with other accused persons namely Mumtaj @ Biru, Md. Idwa and Md. Dilshad Alam have committed the theft in the shop of Jai Maa Kali Abhushan Nirman Kendra, Tharbitta. On the basis of the disclosure statement of accused Mehadi Alam, the police has conducted a raid at the house of accused Md. Dilshad but he was not present at his house and from the house of Md. Dilshad the stolen jewelries were recovered. Thereafter, the seizure-list was prepared and further on the basis of disclosure statement, a raid was conducted at Gudari Bazar, Supaul at the shop of Suhagan Jewelers and the proprietor of the shop namely Sanjay Dagra Kale was apprehend and he has not explained the availability of the stolen articles at his shop. As per para No.19, 20 and 21 of the case diary, the police recorded the re-statement of the informant and the statement of the witnesses namely Rajesh Swarnkar and Chhotu Swarnkar and in para No.22 of the case diary, the police also recorded the statement of the local night guard namely Naresh Bahadur. The police has also recorded the statement of the recovery witnesses namely Rajesh Kumar and Kishor Kumar and in their presence the police has recovered the stolen jewelries from the shop of Suhagan Jewelers. In para No.41 of the case diary, the police also collected the call details of the mobile phone numbers used by the accused persons and as per para No.44 of the case diary, on the basis of secret information, the police has apprehend the accused Md.Mumtaj @ Biru from Tharbitta, Ward No.13. On minute scrutiny of the entire case diary, it transpires that in the intervening night of 26/27-01-26, the accused persons have committed the theft at the shop of the informant and his brother's shop. In this case the police has apprehend the accused Mehadi Alam and recorded his confessional statement and on the basis of his confessional statement, the police has conducted the raid at the shop of Sanjay Dagra Kale and from his shop, the stolen articles was recovered. Similarly, the police has also conducted the raid at the house of accused Md. Dilshad and from his house the stolen articles was also recovered. The confessional statement of accused Mehadi Alam recorded by the police is duly corroborated by the recovery of stolen articles from their respective house and shop. The investigation of this case is</p>	<p>Contd.</p>
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<p><u>Contd.</u> <u>24/03/2026</u></p>	<p>in primary stage and there is the strong connivance between the accused Mehadi Alam and this accused/ petitioner. The custodial interrogation of accused/ petitioner is also required. Hence, I find that accused/ petitioner is not entitled to get the benefit of anticipatory bail. As such, the prayer of the anticipatory bail, on behalf of accused/ petitioner namely Tulsi Swarnkar @ Tulsi Kumar, is hereby, Rejected.</p> <p style="text-align: right;">Dictated -Sd- (Anant Singh) Sessions Judge, Supaul</p>	
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