

In the Court of Sessions Judge, Supaul

B.A.-238/2026

(Arising out of Supaul P.S. Case No.370/2025)

	Sandeep Sardar, S/o- Feku Sardar, R/o- Daprakha, Ward No.04, PS- Triveniganj, District- Supaul; Accused/Petitioner Vs. State of Bihar O.P.	
<u>06/05/26</u>	Ld. Counsel for petitioner Sri. Sanjay Kumar Singh, Advocate. Ld. APP Sri. Amar Kumar Das, for the State. By this order we are going to dispose off the bail application filed on behalf of the accused/ petitioner, namely Sandeep Sardar, who is in judicial custody since 17.01.2026 in connection with Supaul PS Case No.:–370/2025, u/s- 334(1), 303(2) of B.N.S. Ld. counsel for the accused/ petitioner argued that accused/ petitioner is quite innocent and has committed no crime and he has falsely been implicated in this case due to local politics and enmity. He further submitted that accused/ petitioner is not named in FIR and he has been framed in the instant case only on the basis of confessional statement of co-accused. He further submitted that no any stolen articles has been recovered from the possession of the accused/ petitioner. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioner. It is also submitted that accused/ petitioner is in judicial custody since 17.01.2026 and no useful purpose would be served by keeping the accused/ petitioner behind the bar. Ld. APP for the State strongly opposed the prayer of bail application. In brief, the prosecution story is that on dated 14.07.2025 at about 08:00 P.M., when the informant came at his shop and he found that the lock of the shutter of his shop was broken and from his shop 160 pieces of <i>Sarees</i> and other clothes worth of Rs.3 lakh was missing from his shop. Similarly, on the same day the shutter of the shop of Abhinandan Kumar, who is running hardware shop, was also broken and the hardware materials worth of Rs.3 lakh was also missing from his shop. Similarly, the shutter of the shop of Bablu Kumar, who is running grocery shop, was also broken and from his shop the grocery materials worth of Rs.1.5 lakh was also missing from his shop. Similarly, the shutter of the shop of Umesh Kumar, who is running the electronic shop, was also broken and the battery worth of Rs.45,000/- was also missing from his shop. Similarly, the shutter of the shop of Binod Tatai, who is running bicycle shop, was also broken and from his shop bicycle parts worth of Rs.25,000/- was also missing. Argument heard from both sides and perused the lower court record as well as case diary. Admittedly, this accused/ petitioner was remanded in this case on 17.01.2026 from some other case of Chhatapur PS Case No.175/25 and since then he is in judicial custody. During the course of investigation the police also recorded the confession statement of this accused/ petitioner and he admitted his guilt that he has committed this crime and the photocopy of the confessional statement is lying on judicial record. This confessional statement was recorded on	Contd.

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17.07.2025, but the I.O has not made any attempt to recover the stolen articles nor moved any application for conducting the T.I.P of the accused/ petitioner. Though, this accused/ petitioner is also involved in 4 other criminal cases of similar nature. This is the strange investigation conducted by the I.O that soon after the commission of this crime, within 2-3 days this accused/ petitioner was arrested by the police of PS Karjain and he disclosed and admitted his involvement in this case of Supaul PS. But the I.O has not taken any steps regarding making any recovery of stolen articles of this case. Even after he has the opportunity to recover the stolen articles. Similarly, before submitting of the charge-sheet, the SHO has put his signature on the same, but he has also not able to take any steps for the just conclusion of investigation and submitted the charge-sheet in mechanical manner. Because of the deficiency in the investigation, this court is forced to grant the bail of the accused/ petitioner.

The investigation of this case is complete and charge-sheet against this accused/ petitioner has also been filed. The accused/ petitioner is in judicial custody since 17.01.2026 and no useful purpose would be served by keeping the accused/ petitioner behind the bar.

Keeping in mind the period of custody and completion of investigation, I find that accused/ petitioner is entitled to be enlarged on bail. Therefore, the bail application, filed on behalf of accused/ petitioner, namely Sandeep Sardar stands **Allowed** on furnishing bail bond of Rs.20,000/- with two sureties of the like amount each to the satisfaction of learned Court below and one of the bailor must be family member or close relative **and the bail bond shall be accepted after framing of charge, so that the trial should not be hampered.**

Dictated
-Sd-
(Anant Singh)
Sessions Judge, Supaul