

In the Court of Motish Kumar Singh Sessions Judge, Siwan.

Bail Petition No. 229/2026

(Siwan (Mahadewa) P.S. Case No. 25/2026)

Abdul Kadir @ Shabbu..... Petitioner

Vs.

The State of BiharO.P.

ORDER

11.03.2026

1. Learned counsel for the petitioner moves present bail application filed on behalf of the accused-petitioner namely **1. Abdul Kadir @ Shabbu**, who is in judicial custody since 06.02.2026 in connection with Siwan Mahadewa P.S. Case No. 25/2026 registered u/s 317(5) of BNS.

2. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence, rather he has falsely been implicated in this case. Petitioner bears no criminal antecedent. Ld. counsel further submits that the name of the petitioner has been added by the police, who himself informant of this case and the police concerned did not believe the version of petitioner that he told that he has purchased the said bike from the co-accused and without verifying the same, petitioner has made accused in this case. The petitioner is in custody since 06.02.2026. There is no chance of his absconding of tampering with the prosecution evidence. Hence, learned counsel prays for bail.

3. On the other hand, learned P.P vehemently opposes the prayer of bail.

4. Heard. Perused the record.

5. From perusal of the record, it transpires that an F.I.R vide Siwan Mahadewa P.S. Case No. 25/2026 was registered on 05.02.2026 u/s 317(5) of BNS against the petitioner. As per FIR, the informant alleged that on 05.02.2026 at about 21:00 o'clock, he was checking vehicle at Jhunapur More. In the meantime, at about 21:30 o'clock, two persons riding on two motorcycles were coming towards Barharia and they were asked for stop, but they tried to flee away and with the help of police force, they trapped by police and disclosed their name as Suga and Abdul Kadir. On search, one key was recovered from the right pocket of Suga and no any incriminating

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article has been recovered from the petitioner. On demand of paper accused persons did not give any paper of motorcycle.

6. From perusal of the FIR, it transpires that petitioner is arrested on spot, but during search no any incriminating article has been recovered from the possession of the petitioner. Moreover, petitioner is in custody since 06.02.2026. Investigation is complete.

7. As per para-3 of the bail petition as well as para-33 of the case diary, it appears that petitioner bears no criminal antecedent.

8. Considering the aforesaid fact and custody period of the petitioner, the present bail application is **allowed**.

9. The petitioner is directed to be released immediately on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the court below **with condition that the petitioner shall not repeat such offence in future. If the petitioner is subsequently found indulged in similar offences, the learned trial Court shall take steps for cancellation of his bail bond.**

(Dictated)

(Motish Kumar Singh)
Sessions Judge
Siwan.
11.03.2026