

In the Court of Md. Gheyasuddin District & Addl. Sessions Judge- II
Vaishali at Hajipur,
ABP No.- 361/2026

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In the matter of :-

1. Abhishek Kumar, Aged- 23 years, Son of Sitaram Rai @ Hitlar Rai,
2. Chhotu Kumar, Aged-25 years, Son of Raj Kishore Rai, Both are R/o Village- Paura
Madan Singh, PS- Sarai, District- Vaishali, **Petitioners**

Versus

The State of Bihar

..... **Opposite party**

Order

30.05.2026

The petitioners above named apprehending their arrest in connection with Sarai PS Case no. 16/2025, u/s 303(1), 334(1), 62, 3(5) of BNS and hence instant petition for the grant of anticipatory bail has been filed on their behalf.

Heard the learned lawyer for the accused/petitioners as well as Learned APP on behalf of state.

The prosecution case in short is that the Informant-Lalbabu Das(Chaukidar), who is currently posted at Sarai Police Station. On 27.01.2025 he was assigned to monitor the sealed ware house in Sarai P.S. Case No. 92/24. He was on duty around 16:15, he went to the adjacent field to defecate. While he was defecating. He heard aknocking sound in the warehouse. He quickly finished defecating and ran towards the warehouse shouting. He saw 1. Abhisekh Kumar, 2.Chotu Kumar, coming out of the warehouse on a motorcycles and running away. He tried to chase him, but they escaped. After going inside the warehouse, he saw that one of the locks of the warehouse was broken. He informed the S.H.O. Sarai. After

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enquiring openly and secretly, he came to know that the accused in Sarai P.S Case No.92/24, were Anjan Kumar, Niranjana Kumar, Arvind Rai with the intention of committing theft in the warehouse has send these persons. Accordingly, with the said allegation FIR has been instituted.

Learned counsel on behalf of accused/petitioners submitted that petitioners are innocent and they have committed no offence whatsoever as alleged. It is further submitted that no occurrence as alleged took place ever since and entire case has falsey been cooked up by the informant. It is further submitted that co-accused Niranjana Kumar, Anjan Kumar and Arvind Rai have already been granted anticipatory bail by the learned court of D&ASJ-II, vide ABP no. 3116/2025 and case of petitioner stands of better footings. It is at last submitted that petitioners are ready to furnish sound bail bonds of local bailors. It is therefore prayed that petitioners be admitted to anticipatory bail.

Ld. APP opposed the petition and submitted that the allegation against petitioners is of coming at the warehouse shop for committing theft. Hence their anticipatory bail application is fit to be rejected.

From perusal of record it transpires that the allegation against petitioners is of coming at the warehouse shop for committing theft.

In the above facts, circumstances and also considering the fact that the allegation against accused/petitioners is of coming at the warehouse shop and broke the lock of ware house for committing theft, the other co-accused persons have already been granted anticipatory bail by the then Ld. District & Sessions Judge-II, Vaishali at Hajipur vide ABP no. 3116/2025, dated 07.01.2026. As such the accused/petitioners are ordered to be enlarge on bail in the event of

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their arrest or surrender within 30 days from today on furnishing bail bond of Rs 10,000/- each with two sureties of the like amount to the satisfaction of the court below and also in the light of condition laid down u/s 482(2) of BNS.

Dictated

Md. Gheyasuddin
District & Addl. Sessions Judge-II
Vaishali at Hajipur.
30.05.2026