

In the Court of Sessions Judge, Vaishali
Present :- Harshit Singh, Sessions Judge.

B.P. No. 524/2026

Naresh Das, aged about 48 years S/o Late Raghunath Das,
Resident of village –Nariyar, P.S. - Motipur, District – Muzaffarpur.
:- Petitioner

Versus

State of Bihar :- O.P.

B.P. No. 545/2026

Sikku Kumar, aged about 25 years S/o Jay Murat Ray
Resident of village – Muzaffra Kamtaul, P.S. - Kudhani, District –
Muzaffarpur. :- Petitioner

Versus

State of Bihar :- O.P.

B.P. No. 619/2026

1. **Chhotu Kumar**, aged about 25 years S/o Musafir Sah,
Resident of village – Bara Sumera, P.S. - Turki (Kudhani), District –
Muzaffarpur.
2. **Chandan Kumar**, aged about 21 years S/o Dharbendra Rai
Resident of village Dara Patti, P.S. - Karja, District – Muzaffarpur.
:- Petitioners

Versus

State of Bihar :- O.P.

Appearance :

Learned counsels for the accused petitioners : Sri Chandeshwar Prasad, Sri
Divesh Kumar Singh and Sri
Satyendra Kumar Tiwary,

Learned Public Prosecutor for the State : Mr. Shyam Babu Rai,

Date of order – 27th. May 2026

The above three regular bail petitions are arising out of the same case i.e. Vaishali P.S. Case No. 124/2026 registered u/s 303(2) of B.N.S. Petitioners of B.P. No. 524/2026 and B.P. No. 545/2026 namely Naresh Das and Sikku Kumar are in judicial custody since 23.03.2026 and 25.03.2026 respectively. Petitioners of B.P. No. 619/2026 namely Chhotu Kumar and Chandan Kumar are in

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judicial custody since 25.03.2026 and 13.03.2026 respectively. Therefore, above three regular bail petitions have been taken up together for hearing and are being disposed of through this common order.

Heard learned counsels for the accused petitioners as well as learned Public Prosecutor for the State and also perused the record.

It is mentioned in Para 2 of all three bail petition that earlier no application for bail on behalf of the petitioners either for anticipatory or regular has been moved before this court or before the Hon'ble High Court, Patna.

The case of the prosecution in brief as per written report of informant Mrityunjay Singh is that he has Gas Godown in village Rohna in the name of his Bhabho Alka Singh, where 90 filled-up Gas Cylinders were loaded on the Gas Vehicle bearing registration no. BR31GA 8096 (weight of one Cylinder Gas was 14.2 kgs.). On 16.02.2026 at about 5 A.M. in the morning when his staff Shatrudhan Ram woke-up he did not find the vehicle loaded with Gas Cylinders and the lock of gate was cut. 90 Gas Cylinders with vehicle bearing registration no. BR31GA 8096 was stolen away by some unknown thieves from the premises of his Gas Godown. Through the G.P.S. installed in the vehicle it came to know that his theft vehicle is in Maniyari police station without Gas cylinder.

Learned advocates for the petitioners submitted that the accused petitioners are innocent and have not committed any offence. They have been falsely implicated in this case. The entire prosecution case is false and concocted. Nothing has been recovered from the possession of the petitioners. Petitioner of B.P. No. 524/2026 namely Naresh Das has criminal antecedent of one other criminal case. Petitioner of B.P. No. 545/2026 namely Sikku Kumar4

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other criminal cases. Petitioners of B.P. no. 619/2026 namely Chhotu Kumar and Chandan Kumar have criminal antecedent of one other criminal case. Petitioners of B.P. No. 524/2026 and B.P. No. 545/2026 namely Naresh Das and Sikku Kumar are in judicial custody since 23.03.2026 and 25.03.2026 respectively. Petitioners of B.P. No. 619/2026 namely Chhotu Kumar and Chandan Kumar are in judicial custody since 25.03.2026 and 13.03.2026 respectively. Hence, prayer has been made for bail.

Learned Public Prosecutor for the State opposed the prayer for bail of the petitioners.

Heard both the parties and perused trial court record and case diary written up to Para 43 dated 04.04.2026. From perusal of the trial court record and the case diary, it appears that it is a case of committing theft of the vehicle loaded with 90 Gas Cylinders from the premises of Gas Godown of the informant. The F.I.R. was lodged against unknown person. Para 10 of the case diary shows that the theft vehicle no. BR31GA 8096 was recovered by the Maniyari police station, Muzaffarpur. Which was found in abandoned condition near Chaurasiya Hotel. No any cylinder was found on the said vehicle. Para 23 of the case diary shows that Sikku Kumar (petitioner), Suraj Kumar, Naresh Das (petitioner) were arrested in connection with Jaitpur(Muz.) P.S. Case No. 25/2026 and they have confessed their guilt and admitted their involvement in the present case. It further appears that accused Rajesh Kumar, Pintu Kumar, Chandan Kumar (petitioner), Chhotu Kumar (petitioner) have been arrested in connection with Belsar (Vaishali) P.S. Case No. 84/2026 and they have also confessed their guilt and accepted their involvement in the present case. The seizure list shows that from the house of petitioner Naresh Das, four commercial Gas cylinders of Indane company, 11 Domestic Gas Cylinders of Bharat Gas Company, 57 domestic Gas

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cylinders of Indane company, total 72 Gas cylinders were seized. Another seizure list shows that from the house of co-accused Rakesh Kumar 3 empty domestic Gas cylinder were seized. It further appears that 44 commercial Gas cylinder were seized from the co-accused Rakesh Kumar. 52 Gas cylinders were a seized, which were kept outside of Godown of Jag Bharti Bharat Gas Godown, Ramdayalu, Mangal Asthan. Petitioners of B.P. No. 524/2026 and B.P. No. 545/2026 namely Naresh Das and Sikku Kumar are in judicial custody since 23.03.2026 and 25.03.2026 respectively. Petitioners of B.P. No. 619/2026 namely Chhotu Kumar and Chandan Kumar are in judicial custody since 25.03.2026 and 13.03.2026 respectively. The investigation is still going on.

Therefore, considering the aforesaid facts, circumstances of the case and nature of the allegations as well as detention period of the petitioners, their prayer for regular bail is allowed and accordingly, the above named accused petitioners of all three bail petitions are directed to be released on bail, on furnishing bail bond of Rs.10,000/- with two sureties of the like amount to the satisfaction of the learned court below, **subject to the further conditions that :**

(i) The petitioners will not indulge in any kind of such offence and shall appear and report to S.H.O. of concern police station on first week of the every month for a period of one year regarding his activity after being released from custody.

(ii) The petitioners will not delay the disposal of trial in any manner what so ever and will remain physically present for framing of charge and at the stage of recording of statement under section 351 of B.N.S.S.

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(iii) The petitioners would not repeat similar type of offence in future.

In case of breach of any of the aforesaid conditions, learned Court concern will be at liberty to cancel the bail and send the applicant to prison.

Before accepting the bail bonds of the petitioners, the learned Trial Court is requested to ensure that a copy of this order be sent to the S.H.O. of concern P.S. with direction that, the concern S.H.O. will inform the learned Court if the petitioners fail to appear before him in any month as specified in aforesaid condition.

However, the bail bonds of the petitioners will be accepted after framing of charge.

(Dictated)

(Harshit Singh)
Sessions Judge, Vaishali.

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