

**In the Court of Rajan Kumar District and Addl. Sessions Judge V, Lakhisarai.**

**B.P. No. 1415/2026**

(Arising out of Lakhisarai P.S Case No:- 385/2026)

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1. Rupesh Kumar S/o Late Mohan Saw,  
 2. Upendra Modi @ Upendra Das S/o Late Panchanand Modi,  
 3. Md Imran S/o Shekh Shabbier.....Petitioners.

Versus

The State of Bihar..... Opposite Party.

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For the Petitioners: Sri Shivam Anand, Learned Advocate.

For the O.P.(State): Sri Hareram Sharma, Learned Addl. Public Prosecutor.

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**ORDER**

**06.08.2026:** Application for regular bail has been filed on behalf of the petitioner namely **1. Rupesh Kumar, 2. Upendra Modi @ Upendra Das and 3. Md Imran** who are in judicial custody since 23.07.2026 in connection with Lakhisarai P.S. Case No. 385/2026 for the alleged offences U/s. 303(2), 317(4), 3(5) of B.N.S, 2023 pressed today.

2. Heard the learned counsel for the petitioner and learned Addl. Public Prosecutor on behalf of the State.

3. The prosecution case is that on 22.07.2026, at about 01:00 P.M., while, a police station was on a special raid, they received confidential information that stolen motorcycles were being dismantled and their spare parts were being sold at a scrap shop situated on the road leading to Mansurchak near Prabhat Chowk, Lakhisarai. Acting on the said information, the police immediately conducted a raid at the indicated place. During the raid, the police allegedly found three persons, including the petitioner, present at the scrap shop. It is alleged that one of them was dismantling a motorcycle into spare parts. On seeing the police party, the accused persons became nervous but were apprehended on the spot. Upon demand, they failed to produce any valid ownership documents relating to the motorcycle. During interrogation, co-accused Upendra Modi, the scrap dealer, allegedly disclosed that he had purchased the motorcycle from Sarvesh Kumar for Rs. 6,000/- as scrap. Verification of the chasis and engine number revealed that the motorcycle had been reported stolen and a theft case had already been registered at Bihar Police Station, District Nalanda. Thereafter, the police prepared a seizure list, recovered the dismantled motorcycle parts, arrested the accused persons. Hence the present case.

4. It is submitted on behalf of the petitioner that the petitioner is quite innocent, has committed no offence and has falsely been implicated in the present case. That the petitioner is in judicial custody since 23.07.2026. That no bail petition u/s 482, 483 B.N.S filed by petitioner either before your honour court or before session court and before Hon'ble High Court Patna. That after perusal the F.I.R petitioners stated that seized old

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motorcycle purchase from one Sarvesh Kumar and Kabadi shop is a legal licence holder son no question that petitioners have stolen property. That one criminal antecedent against the petitioner Md. Imran. That no any incriminating articles recovered from the possession of the petitioners. Hence, the petitioner may be granted the privilege of regular bail.

5. On the other hand, learned Addl. Public Prosecutor opposes the prayer for regular bail.

6. Heard and perused the case diary. Para No. 03 of the case diary reflects re-statement of the informant, in which she has supported the version of the FIR. The seizure list has been mentioned in para No. 02 of the case diary. Para No. 04 and 05 of the case diary reflects statement of the witness who has supported the incident. Para No.08 of the case diary reflect the place of occurrence which appears situated at Prabhat Chowk under Lakhisarai Police Station. Para No. 23 of the case diary reflects that one criminal antecedent against the petitioner no.3 of the bail petition. Para No. 15 of case diary reflect that the confessional statement of petitioner Upendera Modi. That the petitioners were involved in dismantling, storing, transporting and selling the parts of a stolen motorcycle.

7. Under the facts and circumstances of the present case, manner of occurrences, storing, transporting, selling and confessional statements of Petitioner Upendera Modi, the court does not deem it appropriate to grant the privilege of regular bail to the petitioner which stands consequently **rejected**.

Dictated

(Rajan Kumar)  
District and Addl. Sessions Judge-V,  
Lakhisarai.  
06.08.2026