

IN THE COURT OF SESSIONS JUDGE, GAYA

B.P. No. 834/2026

Md. Shahnawaz @ Banti Vs. The State of Bihar

Rail Gaya P.S Case No. 89/2026

01.06.2026

Present :

For the petitioner --: Sri Birendra Singh, Advocate

For the State-----: Sri Arvind Kumar, I/C Public Prosecutor

The present petition for regular bail has been filed on behalf of petitioner Md. Shahnawaz @ Banti who is in judicial custody since 05.04.2026 in connection with Rail Gaya P.S Case No.89/2026 registered for the offence punishable under sections 317(5) of the BNS.

Prosecution case, in brief, as per written report of the informant Javed Iqbal who is Sub Inspector, RPF Gaya is that on 05.04.2026, the informant along with other police official were on patrolling duty and during such course, he saw a person coming out from ticket counter in suspicion condition. It is further alleged that the police party stopped him and after inquiry, he disclosed his name Rakesh Kumar and on search, two mobile phones were recovered from his possession. It is further alleged that the police party said to unlock both the mobile phones but he could not succeed unlocking POCO mobile phone. It is further alleged that the accused/petitioner confessed his guilt and said that POCO mobile has been stolen by him from rail passenger. The recovered mobile was seized and seizure list was prepared accordingly.

Ld. counsel appearing for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He further submits that petitioner is physically disable person and he does work hard for his livelihood. He further submits that this petitioner having no criminal antecedent is in judicial custody since 05.04.2026 and chargesheet has been submitted in this case u/s 317(2), 303(2) of the BNS and no useful purpose will be served by further detention of this petitioner.

IN THE COURT OF SESSIONS JUDGE, GAYA**B.P. No. 834/2026****Md. Shahnawaz @ Banti Vs. The State of Bihar****Rail Gaya P.S Case No. 89/2026**

Ld. I/C P.P has also been heard in opposition to the prayer for bail.

I have considered the submissions as advanced by the parties and have perused the trial court record. The case has been lodged against this petitioner under Section 317(5) of the BNS and the allegation against him is that two mobile phones were recovered from his possession but he could not succeed to unlock said stolen one POCO mobile phone. After further perusal of case record, it appears that chargesheet has been submitted against this petitioner u/ss 317(2), 303(2) of the BNS. After submission of chargesheet, cognizance has been taken against petitioner. Further, the petitioner having no criminal antecedent is lying in judicial custody since 05.04.2026.

Considering the aforesaid, in the background of the period of custody and the claim that the petitioner carries no criminal antecedent, the petitioner is directed to be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of the court concerned.

(Dictated and corrected)

Sd/-

(P.K. Malik)

Sessions Judge, Gaya

01.06.2026

Date of Order	01.06.2026
Date of reserving Order	N/A
Uploading Date	05.06.2026
Uploaded by	Steno (Vikash Kumar)