

COURT OF ADDITIONAL SESSIONS JUDGE - III, KISHANGANJ

B.P. No. 119/2026 arising out of Paharkatta P.S Case No. 63/26 u/ss 317(5), 338 & 336(3) r/w section 3(5) of B.N.S.

1. Gulshad Alam aged 24 years, s/o Md Afaque Alam r/o Dumarmuni Haldagaon, P.S Paharkatta, District Kishanganj.

2. Arfaz Alam aged 19 years, s/o Tasiruddin @ Md Tasir r/o Chhagalia, Ward no. 10, P.S Paharkatta, District Kishanganj

3. Arif @ Md Arif aged 20 years, s/o Noyeshad Nayas r/o Dhulabari, P.S Paharkatta, District Kishanganj

... PETITIONERS

Versus

State of Bihar

... O.P

02.05.2026/ORDER

Heard on bail of petitioners in judicial custody since 14.03.2026. Perused the case diary and case record.

2. Petitioners certify that no bail has been earlier preferred either before this court or the Hon'ble Court. Petitioners have clean criminal history.

2.1 Besides general averments, plea of innocence and false implication; submission is that the alleged occurrence took place on 12.03.2026 but surprisingly the F.I.R has been lodged on 14.03.2026 without any explanation creating doubt regarding the genuineness of the prosecution story. No incriminating material, illegal articles or contraband has been recovered from the conscious possession, person or residential premises of the petitioners. In fact petitioners have been falsely implicated to settle personal score arising out of verbal altercation with police officials during Shanti Samiti meeting held on 11.03.2026. F.I.R is conspicuously silent regarding the crucial details of alleged communication with the principal owner of the vehicle Subhash Kumar. Petitioners are non named F.I.R accused. Prayed for bail.

3. Ld. APP opposed the bail submitting that a number of persons have been apprehended by the police in pursuance of investigation.

4. Informant submits that he is presently posted at Paharkatta police station. On 12.03.2026 he along with a female constable Komal Kumari and chaukidar Sorey Hasda were carrying vehicle

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checking at Damalbadi when at around 06:00 P.M a person was apprehended who named himself Samiruddin. When questioned about the details of his motorcycle bearing registration number BR37N6965 and other details he did not deliver satisfactory reply. The said motorcycle was seized and brought at the police station where at the request of petitioner to bring the necessary documents from his house, he was released. However on verification it was found that the actual owner of the registered motorcycle was one Subhash Kumar Singh who was contacted but he told that his motorcycle lay at his residence. On further enquiry it was found that the alleged motorcycle was a stolen property and its registration number was forged. On strict interrogation the petitioner admitted that the motorcycle was stolen with accomplice Rafique.

5. Allegation against the petitioners is possessing stolen motorcycle with forged number plates and other details of the vehicle with intent to cheat in collusion with accused persons.

5.1 Perusal of paras 02, 04, 06, 08, 10, 14, 16, 32, 34, 38, 53, 54, 70, 73, 74, 75, 76, 77, 78 and 79 of case diary reveals the direct complicity of the petitioner in the alleged offences. As evident from the case diary the alleged motorcycle belongs to another person and in pursuance of investigation several accused persons have been arrested and stolen motorcycle seized from their possession. Petitioners appear to have full knowledge of the stolen nature of property. Offences are very serious in nature. Matter is under investigation.

6. Considering all facts and circumstances, submissions and discussions; I am not inclined to enlarge the petitioners on bail. Bail stands **rejected**.

Dictated

Sd/-

Additional Sessions Judge – III

Date of Judgment / Order	02-05-2026
Date of reserving Judgment /Order	02-05-2026
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