

IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II
DISTRICT-KATIHAR
(B.P. No. 248 of 2026)

In the matter of

1. Md. Tamil Raza aged about 28 years, S/o Md. Rafique
Above R/o Vill.- Amdabad Paschim Tola, P.S.- Amdabad, District- Katihar.

.....**Accused/petitioner.**

Vs

State of Bihar.....Opposite Party.

Katihar Nagar P.S. Case No. 95/2026

U/S- 303 (2), 334 of B.N.S.

Ld. Advocate for petitioner- Shri Kuldeep Narayan Sinha

Learned A.P.P. for the State Shri Md. Ajaz Alam

ORDER

15-04-2026- This bail petition has been filed on behalf of the accused-petitioner namely Md. Tamil Raza who is in custody since 24.01.2026 in connection with aforesaid case.

Heard ld. counsel Shri Kuldeep Narayan Sinha appearing on behalf of the petitioner and learned A.P.P. Shri Md. Ajaz Alam appearing on behalf of the State.

According to F.I.R. prosecution case in nutshell is that informant namely Shivam Kumar Verma runs a shop in the name and styles as “Verma Jewellers” and the said shop is situated at R.P. Path, New Market, Katihar. Informant has further alleged that on dated 21.01.2026 at about 02:00 o’ clock in morning, some unknown miscreants broke five locks one fire lock, took away 8 kg silver worth Rs. 24,00,000/-, 16 gm gold jewar and 3.700 gm pure gold worth about Rs. 2,90,000/- from his shop. Informant has further alleged that 4 to 5 persons came by tempo from the direction of Hotel Delux and they also cut 3 locks of Gaurav Vastralaya and after that miscreants committed theft in his shop due to which he has sustained financial loss.

It is pertinent to mention herein that on the basis of written report of the informant formal F.I.R. was lodged against some unknown persons but during the investigation name of present petitioner namely Md. Tamil Raza has been surfaced in this case so, he was arrested and remanded to jail custody.

On the other side learned counsel for the petitioner has reiterated all the grounds taken in the bail petition and has submitted that accused-petitioner is quite innocent and he has committed no offence and he has been falsely implicated in this case and prosecution story of this case as propounded in F.I.R. is absolutely false, collusive and maliciously fabricated. Allegation as made in F.I.R. is quite vague. Claim of informant that he had so many gold and silver

ornaments in the shop is not believable. C.C.T.V. footage of alleged incident is not clear. Petitioner is an auto/toto driver of his own vehicle but other co-accused with view to save their own skin and in collusion with the local police they falsely implicated to this petitioner in this case. Petitioner has not been caught at the spot and no precious ornaments or items have been recovered from the direct custody of this accused-petitioner. Further, C.C.T.V. installed in the informant's shop does not provide even a single moment snapped or photo of petitioner to show his presence on the spot. Furthermore petitioner has got no bad antecedent and he is custody since 24.01.2026. Accordingly, it has been prayed to allow the said bail petition.

Per contra, learned A.P.P. for the State has submitted that from perusal of the confessional statement of other co-accused as well as present petitioner it is quite clear that accused-petitioner has been involved in this alleged occurrence. Further from perusal of seizure list it is evident that several ornaments have been recovered from the house of present petitioner. Accordingly, it has been prayed to reject the instant bail petition.

Heard both parties and perused the case record from perusal of the case record it is evident that on the basis of confessional statement as well as on the instance of accused-petitioner namely Md. Tamil Raza several ornaments of silver just like Haanth panja, Gala ka set, Paan ka patta, Locket, Mangalsutra, Gully, Haanth ka nathia, Sikka, Dholna, Chain, Bichhiya, Angoothi, Patla sheet, Chammach and Payal ki jhumki have been recovered from the house of accused-petitioner. Further one auto about which it is alleged that said vehicle was used in this alleged occurrence. Further witnesses of the case diary have fully supported the case of prosecution and investigation is still pending against the petitioner.

So, having considered the above facts as well as submissions made by Id. A.P.P., I am not inclined to enlarge the petitioner on regular bail. Hence, petition for regular bail filed on behalf of the accused-petitioner namely Md. Tamil Raza is hereby rejected.

**Addl. Sessions Judge-II
Katihar**

Date of order	15.04.2026
Date of Reserving order	N/A
Uploading Date	28.04.2026
Uploaded By	Harshit Raj, Steno, DASJ-II, Katihar