

COURT OF ADDL. SESSIONS JUDGE-II,- KATIHAR
P.O. ASUTOSH RAI
ACCUSED NAME- Md. Ayan
Katihar Nagar P.S. Case No. 03/2026
Bail Petition No. 311 of 2026

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IN THE COURT OF ADDL. SESSIONS JUDGE-II DISTRICT-KATIHAR

(Bail Petition No. 311 of 2026)

In the matter of

1.Md. Ayan aged about 18 years, S/o Md. Pappu
R/o- Golaghat Siraniya, P.O.- Siraniya, P.S.- Mufassil, Distt.- Katihar

-----Accused/Petitioner.

Vs

State of Bihar-----Opposite Party.

Katihar Nagar P.S. Case No.-03/2026

U/s- 303 (2), 317 (2) of B.N.S.

Learned Advocate for Petitioner- Md. Mokhtar Alam

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

ORDER

27.04.2026- This petition for regular bail has been filed on behalf of the accused namely Md. Ayan who is in custody since 02.01.2026 in connection with Katihar Nagar P.S. Case No. 03/2026 instituted U/s- 303 (2), 317 (2) of B.N.S.

Heard the learned Md. Mokhtar Alam appearing on behalf of the petitioner and learned A.P.P. Shri Md. Ajaz Alam appearing on behalf of the State and perused the lower court record along with case diary.

According to F.I.R. prosecution case in nutshell is that informant to this case namely Shivam Kumar on dated 01.01.2026 was present along with his friends in the premises of Durga Temple. At around 18:30, aarti began in temple. During aarti, many persons were present and the informant was also standing. In the meantime, one boy standing behind the informant secretly tried to took away the mobile phone from the packet of the informant and tried to flee away. On noise, with the help of the peoples, he was caught. On being asked, he told his name as Md. Ayan and when the informant inspected him thoroughly then he found his said mobile phone from the pocket of Md. Ayan (accused-petitioner). The informant has stated that his mobile phone was of Vivo Company T1-5G and the inserted Jio SIM No. as 8877971541. The I.M.E.I. No. of the said mobile phone is 862297058570432. After the occurrence of incident, the persons present in the office of the above-mentioned temple called on Dial No. 112 for providing the information of the said incident. After being informed, police came there and took away the accused-petitioner and the said mobile.

On the other side learned counsel for the petitioner has reiterated all the grounds taken in the bail petition and has submitted that the petitioner is innocent and he has committed no offence. There is no criminal history against the petitioner. The petitioner is a boy and he has been falsely

implicated in this case. No any article was recovered from the petitioner and the price of the article was also not mentioned. No finger print was taken from the alleged mobile phone and the informant has not filed any receipt of the said mobile phone. Accused-petitioner has no criminal antecedent and he is in custody since 02.01.2026. Accordingly, prayer has been made to allow the bail petition.

Per contra, learned A.P.P. appearing for the state assisted by the learned counsel appearing for the informant has opposed the prayer for bail.

Heard both parties at length and perused the entire case record alongwith case dairy. From perusal of the case record it is evident that this case has been lodged U/s 303 (2), 317 (2) of B.N.S. Accused-petitioner is in judicial custody since 02.01.2026. There is recovery of a stolen mobile phone from the petitioner, though, that is also on the production-cum-seizure list. In paragraph 30 of the case diary, petitioner has no criminal history.

So having considered the above facts the bail petition is hereby allowed and it is ordered to release the petitioner namely Md. Ayan, on bail on furnishing of bail bond of Rs. 10,000 with two sureties of the like amount each to the satisfaction of the court with an additional condition that both the bailors must be close relative and that the accused-petitioner will undertake on affidavit not to indulge in similar type of offence.

**I/c Addl. Sessions Judge-II
Katihar**

Date of order	27.04.2026
Date of Reserving order	N/A
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Uploaded By	Harshit Raj, Steno, DASJ-II, Katihar