

Katihar Mufassil P.S. case no. 88/2025
U/S 126(20, 352, 351(2)118(1), 109, 303(2), 3(5) of the B.N.S. & 25(1-b)a/26/35 of the Arms Act
Accused Name- Md. Wahid
P.O.-Asutosh Rai, A.S.J.-II, Katihar
A.B.P. NO. 414/2026

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IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II
DISTRICT-Katihar
(A.B.P. No. 414/2026)

In the matter of

1. Md. Wahid aged about 25 years S/o Md. Dukhwa
R/o- Vill- Khorwa, P.S. Katihar Mufassil, District- Katihar
.....**Accused/petitioner.**

Vs

State of Bihar.....Opposite Party.

Katihar Mufassil P.S. case no. 88/2025

U/S- 126(20, 352, 351(2)118(1), 109, 303(2), 3(5) of the B.N.S. & 25(1-b)a/26/35 of the Arms Act

Ld, advocate for petitioner- Shri Shakil Ahmad Parwez

Ld, A.P.P. for the State- Shri Md. Azaj Alam

ORDER

15.05.2026- This anticipatory bail petition has been filed on the behalf of accused-petitioner namely 1. Md. Wahid who is apprehending his arrest in connection with aforesaid case.

Heard the ld. counsel Shri Shakil Ahmad Parwez appearing on the behalf of the petitioner and Ld. A.P.P. Shri Md. Azaj Alam on the behalf of the state.

As per FIR prosecution case in nutshell is that, informant to this case namely Md. Shahbaz lodged a written report on 03.04.2025 before S.H.O. P.S. Muffasil to this effect that on dated 02.04.2025 at about 8:30 P.M. in night Md. Mahfuz and he were going to see field by the means of motorcycle where water pump machine has been set up for the purpose of watering the field and when they reached near one bridge situated near about 500 meter far away from the Pokhariya Mor then accused-petitioner namely Md. Wahid and other 07 persons altogether they pushed them due to which they fell down on the road alongwith motorcycle and they started snatching the motorcycle and they also brutally assaulted and thereby caused injury on his head as well as on whole body out of aforesaid all accused persons one accused snatched android mobile of Realme company and one accused took to him on gun point and told that if motorcycle is not handed over then he may shoot him. In this course silver chain of 03 bhar from his neck and Rs. 2000/- from his pocket were also snatched by the accused person. Accused persons also assaulted to the Mahfuz and his one wrist watch were also snatched by accused persons. Informant has further alleged that people of that very vicinity started making noise then all 08 accused persons started fleeing away but the villagers chased and caught hold one vehicle bearing registration No. B.R.- 39AL-6872. Later on, on verification it came to know that owner of said vehicle is Bablu Mahaldar and later on it also come into knowledge that said vehicle is used by Suman Kumar in robbery.

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 quite innocent and he has committed no offence and has falsely been implicated in this case. He has further submitted that the allegations levelled against the petitioner are false and fabricated and he has falsely been implicated in this case due to village politics. He has further

submitted that there is no hand of the petitioner either directly or indirectly for the commission of the said offence. He has further submitted that the informant Md. Sahbaj and the petitioner Md. Wahid are same villagers and neighbors before the occurrence, there was a petty dispute between them regarding agricultural land. So, with view to take revenge the informant only putting his name in this F.I.R. He has further submitted that the seized articles in this occurrence neither belonged to the petitioner nor did his name appear anywhere. He has further submitted that the petitioner has no criminal antecedent nor he was involved previously in such type of case. Accused-petitioner has got no other criminal antecedent. Accordingly, it has been prayed to allow the said anticipatory bail petition.

Per contra, learned A.P.P. appearing for the state has opposed the prayer for bail and has submitted that from record it prima facie appears that accused-petitioner has been involved in this alleged occurrence, so he doesn't deserve for regular bail.

Heard the both parties at length and perused the entire case record along with case diary. From perusal of the record it is evident that accused-petitioner is the named accused on F.I.R. and there is allegation that in night accused-petitioner and his other associates altogether brutally assaulted the informant to this case namely Md. Shahbaz and other victim Md. Mahfuz and they also snatched valuable articles just like mobile, silver chain as well as Rs. 2000/- cash from informant as well as from his associate namely Md. Mahfuz. Further, injury report of victim to this case is also in the support of prosecution case. Further, in his confessional statement co-accused namely Sonu Kumar has clearly stated about the involvement of present petitioner. Acts and activities of present petitioner appear prima facie to be very highly daring and against the interest of society. Further investigation in this case is still pending against the accused-petitioner.

So, having considered the above facts as well as submissions made by Ld. A.P.P., I am not inclined to grant the privilege of anticipatory bail to the aforesaid accused-petitioner. Hence, this anticipatory bail petition filed on behalf of the accused-petitioner namely Md. Wahid is hereby rejected.

**Addl. Sessions. Judge-II
Katihar**

**Memo No..... Dated.....
Copy forwarded to, Katihar.**

**Addl. Sessions. Judge-II
Katihar**

Date of Order	15.05.2026
Date of Reserving Order	N/A
Uploading Date	27.05.2026
Uploaded By	Prakash Kumar Singh, Steno D.A.S.J.-II, Katihar