

Nagar Katihar P.S. case no. 827/2025
U/S 317(4), 317(5) of the B.N.S.
Accused Name- Mahtab Alam @ Nabbo
P.O.-Asutosh Rai. A.S.J.-II, Katihar
A.B.P. NO. 487/2026

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IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II

DISTRICT-Katihar
(A.B.P. No. 487/2026)

In the matter of

1.Mahtab Alam @ Nabbo aged about 23 years S/o Md. Alamgir
R/o- Vill- Mirchaibari Chowk Masjid road, P.S. Sahayak, District- Katihar
.....**Accused/petitioner.**

Vs

State of Bihar.....Opposite Party.

Nagar Katihar P.S. case no. 827/2025

U/S- 317(4), 317(5) of the B.N.S.

Ld, advocate for petitioner- Shri Nitesh

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

ORDER

08.05.2026- This anticipatory bail petition has been filed on the behalf of accused-petitioner namely 1. Mahtab Alam @ Nabbo who is apprehending his arrest in connection with aforesaid case.

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

According to F.I.R. prosecution case in nutshell is that Sadhna Kumari PSI Katihar Town was checking the vehicle along with other police personnel at that time two persons riding on Pulsar motorcycle bearing registration number BR 39 AF 1532 turned their motorcycle and trying to fled away but out of them one was apprehended. On being asked the apprehended person disclosed his name to be Tahsim khan and further disclosed that said motorcycle belongs to the accused petitioner namely Mehtab @ Nabbo who was sitting on the motorcycle but having seen the vehicle checking he fled away. It is further alleged that when said motorcycle was checked through HHd machine then it came into knowledge that relating to theft of said motorcycle one Barari PS case number 114/21 has been registered. Later on seizure list was prepared and Md Tahsim Khan was 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 the petitioner is quite innocent and he has committed no offence and he has falsely been implicated in this case out of mere suspicion and name of the petitioner has disclosed by the co-accused namely Md. Tehsin. He has further submitted that there is no evidence against the petitioner except the confessional statement of the co-accused and no incriminating articles has been recovered from the possession of the petitioner. He has further submitted that the own aunty of the petitioner namely Shabana Pravin has lodged case bearing registration Katihar Sahayak P.S. case no. 85/2020 against the mother of co-accused namely Moni Khatoon W/o Md. Rinku @ Md. Azim Khan. Accused-petitioner has got one other criminal

antecedent. Accordingly, it has been prayed to allow the said anticipatory bail petition.

Per contra, learned A.P.P. has vehemently opposed the prayer for anticipatory bail.

Heard the both parties and perused the case record from perusal of the case record it is evident that name of present petitioner has been surfaced in this case on the basis of disclosure and confessional statement of co-accused but except to disclosure statement of co-accused there is nothing on record to show the complicity of present petitioner in this alleged occurrence.

So having consideration the above facts and submission made by the Ld. Counsel for the petitioner, the instant anticipatory bail petition is hereby allowed and accordingly it is ordered to release the petitioner namely Mahtab Alam @ Nabbo on bail in the case of surrender/arrest within three weeks of this order on furnishing of bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court concerned subject to the condition as mentioned in the section 482(2) of the B.N.S.S..

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

Date of Order	08.05.2026
Date of Reserving Order	N/A
Uploading Date	22.05.2026
Uploaded By	Prakash Kumar Singh, Steno D.A.S.J.-II, Katihar