

In the Court of District & Additional Sessions Judge-V

B.P. No.444 of 2026

Katihar Nagar PS Case no. 297/2026

PO- Dwijendra Kumar

Md. Badshah, aged about 32 yrs, S/O- Late Md. Ayub

R/O- Nasirganj Purab Tola, PS- Nagar, District- Katihar

.....Petitioner

Versus

The State of Bihar

.....Opposite Party

Ld. Counsel for the Petitioner:- Sri Pratik Sharma

Ld. Counsel for the State:- Sri Yugal Kishore Yadav, APP

Date of hearing/Disposal: 05-06-2026

Order

1. This regular bail petition has been filed u/s 483 of BNSS on behalf petitioner namely **Md. Badshah** for grant of Regular Bail in connection with Katihar Nagar P.S. case No. 297/2026 u/s 317(4), 317(5), 303(2) of BNS. Accused/petitioner is in judicial custody since 15-03-2026.

2. The Ld. Counsel for the petitioner has also filed his bail petition stating there in that petitioner is quite innocent having only two criminal antecedents and has falsely been implicated in this case. It was further submitted that the accused was not attempting to steal the toto rather he was merely sitting in the vehicle, and the entire allegation of theft is baseless and concocted. This petitioner is languishing in custody since 15.03.2026 and Accordingly prayed for grant of bail.

3. Ld. APP while opposing the bail petition submitted that there is allegation against petitioner to commit theft of informant's toto from the hospital and therefore he does not deserve to be released on bail.

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Continued....
05.06.2026

4. Heard and perused the case record from perusal it is evident that this case has been lodged u/s 317(4), 317(5) and 303(2) of BNS. Petitioner is in judicial custody since 15.03.2026. There is allegation against petitioner to commit theft of informant's toto from the hospital. Petitioner has two criminal history as mentioned in para 18 of the case diary. Therefore considering the above facts and circumstances, and period of custody, let this Petitioner be **enlarged on bail** on his furnishing bail bonds of **Rs. 10,000/- with two sureties** like amount each to the satisfaction of the Court concerned with conditions that :-

- 1. Both the bailors must be close relatives or co-villagers of the petitioner.**
- 2. Petitioner will undertake on affidavit that he will not indulge himself in similar nature of offence.**
- 3. Bail Bond shall only be furnished post framing of the charge.**

sd/-

Dwijendra Kumar

District & Addl. Sessions Judge-V,
Katihar