

P.O.- Sunil Kumar Singh-III, DASJ-III, Katihar
B.P. No. 488/2026
Nagar Katihar P.S. Case No. 138/2026
Md. Jiyaraf Vs. State of Bihar

IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-III, KATIHAR
BAIL PETITION NO. 488/2026
(Arising Out of Nagar Katihar P.S. Case No. 138/2026)

Md. Jiyaraf ... Petitioner
Versus
The State of Bihar ... Opposite Party

Ld. Counsel for the Petitioner:- Sri S.S. Jha, Advocate
Ld. Counsel for the State :- Sri Akhilesh Singh, APP

Date of hearing/Disposal: 26.05.2026

ORDER

A regular bail petition has been filed on behalf of the accused petitioner namely Md. Jiyaraf, who is in jail custody since 04.02.2026 in connection with Nagar Katihar P.S. Case No. 138/2026 for the offence registered U/S 303(2), 317(2) of the B.N.S. The copy of the same has already been duly served to the Ld. Addl. P.P. for the State.

Heard the Ld. counsel for the petitioner and the learned A.P.P. for the State.

The Ld. counsel of the petitioner has submitted that no A.B.P. or B.P. on behalf of the accused petitioner has been filed or moved before this court or before the Hon'ble High Court, Patna. The petitioner is quite innocent and has committed no offence at all and he has been falsely implicated in this case. The petitioner is not named in the FIR. That the section mentioned in the FIR is false against the petitioner. The petitioner has no criminal antecedent. The petitioner is ready to furnish local and solvent bailors to the satisfaction of the court. Accordingly, prayed to grant bail.

On the other hand, the Ld. Addl. P.P. vehemently opposed the prayer of B.P. filed on behalf of the above named accused petitioner and submitted that the petitioner has committed the alleged offence under well planned manner. Hence, it is requested to reject the petition of the above named accused petitioner.

The case of the prosecution, in brief, is that the informant alleged that on 03.02.2026 at about 05:00 PM, while he was at his tea shop, three persons attempted to steal mobile phones from the shop. One accused, namely Md. Ziyarak was caught by local people and handed over to the police, while the other two accused namely Amir and Harfu fled away. Hence, the present case.

Heard rival submission of the Ld. counsel on behalf of the accused petitioner and the Ld. Addl. P.P. for the State and perused the LCR. From perusal of the same, it transpires that the case has been registered for the offence punishable U/S 303(2), 317(2) of the B.N.S. against the accused petitioner. The petitioner is named in the F.I.R. and there is

Date: 26.05.2026

*P.O.- Sunil Kumar Singh-III, DASJ-III, Katihar
B.P. No. 488/2026
Nagar Katihar P.S. Case No. 138/2026
Md. Jiyaraf Vs. State of Bihar*

allegation to commit theft of mobile phones. The petitioner was apprehended at the spot by local people and there is no allegation of absconding. There is no criminal history against the petitioner and the alleged offence is punishable for less than seven years of imprisonment. He is languishing in judicial custody since 04.02.2026. There is no chance of absconding or tampering with the evidence and he is ready to co-operate into trial of this case.

Hence, considering the above facts and circumstances as well as the period of custody, I find it judicious to enlarge the above named accused petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of like amount each to the satisfaction of the Ld. Court below.

Sd/-
D.A.S.J.- III, Katihar
26.05.2026

Date: 26.05.2026