

Manihari P.S. Case no. 43/2026
U/S 331(3), 305 of the B.N.S.
Accused Name- Md. Mister
P.O.-Asutosh Rai. A.S.J.-II, Katihar
B.P. No. 504/26

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IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II
DISTRICT-KATIHAR
(B.P. No. 504/26)

1. Md. Mister, aged about 33 years, S/o Late Md. Motin
R/o Vill- Abdullahnagar Khuskibagh ward no. 41, P.S. Sadar, District- Purnea
.....**Accused/petitioner.**

Vs

State of Bihar.....Opposite Party.

Manihari P.S. Case no. 43/2026

U/S- 331(3), 305 of the B.N.S.

Ld, advocate for petitioner- Shri Shashi Kumar Mishra

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

ORDER

21.05.2026- This petition for regular bail has been filed on the behalf of the accused-petitioners namely Md. Mister who are in custody since 03.03.2026 in connection with Manihari P.S. Case no. 43/2026 P.S. instituted U/S- 331(3), 305 of the B.N.S.

Heard the Ld. Counsel Shri Shashi Kumar Mishra appearing on the behalf of the petitioner and Ld. A.P.P. Shri Md. Ajaz Alam on behalf of the state.

According to F.I.R. prosecution case in nutshell is that informant to the case namely Anuj Kumar lodged a written report before S.H.O., Manihari to this effect that on dated 18.02.2026 at about 11:00 O'clock in morning he closed his house and went to open his shop situated near the Central Bank, Manihari and at about 04:30 O'clock he came back to his house and having opened the main gate when he went inside of his house then he saw that the lock of room was in broken condition. On search it came to know that Rs. 1,00,000/- in cash one golden chain, golden full set, twenty silver coin, two silver glass, two bowl of silver, one silver garland and other articles have been stolen by the unknown accused persons.

Later on the F.I.R. was instituted against unknown accused persons but during the investigation the name of present petitioner namely Md. Mister surfaced in this case on the basis of his confessional statement.

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. He has further submitted that the petitioner has falsely been implicated in this false and fabricated case. He has further submitted that petitioner is nor arrested from the alleged place of occurrence ad he is not named in the F.I.R. and he is arrested from his house after 14-15 days of the alleged occurrence without any valid reason. He has further submitted that no any stolen articles has been recovered from physical possession of the petitioner and the police has made a seizure list on the spot but there is no independent witness made signature on the seizure list which causes a great shadow of doubt. Accused-petitioner is in custody since 03.03.2026. Accordingly, it has been prayed to allow the said both anticipatory bail petitions.

Per contra, learned A.P.P. appearing for the state has opposed the prayer for bail and has submitted that one silver glass has been recovered from the house of accused-petitioner and from record it is quite clear that he extended active support to the other accused persons involved in this case in commission of alleged crime. Hence, petitioner doesn't deserve for

regular bail.

Heard the both parties and perused the entire case record from perusal of the case record it is evident that from the house of accused-petitioner one stolen silver glass has been recovered. Further, accused-petitioner has clearly confessed his active participation in this alleged crime and from record it appears that he extended his active support to the other accused persons in this alleged offence of theft.

So, having consideration the above facts and circumstances of this case as well as gravity of this case and submission of the Id. A.P.P. appearing for the state, I am not inclined to enlarge the above named accused petitioner on the bail. Accordingly, bail petition filed on behalf of the accused-petitioner namely Md. Mister is hereby rejected. However, petitioner may renew his bail petition before the Id. Concerned court after framing of charge.

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

Date of Order	21.05.2026
Date of Reserving Order	N/A
Uploading Date	27.05.2026
Uploaded By	Prakash Kumar Singh, Steno D.A.S.J.-II, Katihar