

Katihar Nagar P.S. Case No. 95/2026
U/S 303 (2), 334 of B.N.S.
Accused Name- Saheb Khan @ Sk. Saheb
P.O.-Asutosh Rai. A.S.J.-II, Katihar
B.P. NO. 561 of 2026

IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II
DISTRICT-KATIHAR
(B.P. No. 561 of 2026)

In the matter of

1. Saheb Khan @ Sk. Saheb aged about 35 years, S/o Mangan Khan @ Sk. Mangan,
R/o Vill.- Bairiya, P.S.- Amdabad, District- Katihar.

.....**Accused/petitioner.**

Vs

State of Bihar.....Opposite Party.

Katihar Nagar P.S. Case No. 95/2026

U/S- 303 (2), 334 of B.N.S.

Ld. Advocate for petitioners- Shri Pratik Sharma

Learned A.P.P. for the State Shri Md. Ajaz Alam

ORDER

08-06-2026- This bail petition has been filed on behalf of the accused-petitioner namely Saheb Khan @ Sk. Saheb who is in custody since 25.01.2026 in connection with aforesaid case.

Heard ld. counsel Shri Pratik Sharma appearing on behalf of the petitioners and learned A.P.P. Shri Md. Ajaz Alam appearing on behalf of the State.

According to F.I.R. prosecution case in nutshell is that his shop Verma Jewellers is situated at R.P. Path, New Market, Katihar. Informant has further alleged that on dated 21.01.2026 at about 02:00 o' clock in morning, some unknown miscreants broke five locks one fire lock, took away 8 kg silver worth Rs. 24,00,000/-, 16 gm gold jewar and 3.700 gm pure gold worth about Rs. 2,90,000/- from his shop. Informant has further alleged that 4 to 5 persons came by tempo from the direction of Hotel Delux and they also cut 3 locks of Gaurav Vastralaya and after that miscreants committed theft in his shop due to which he has sustained financial loss.

It is pertinent to mention herein that on the basis of written report of the informant formal F.I.R. was lodged against some unknown persons but during the investigation name of petitioner surfaced in this case on the basis of his own confessional statement as well as on the basis of confessional statement made by other co-accused persons.

On the other side learned counsel for the petitioner has reiterated all the grounds taken in the bail petition and has submitted that accused-petitioner is quite innocent and he has falsely been implicated in this case due. He has further submitted that allegation levelled against the petitioner is false, fabricated and concocted and nothing incriminating article has been recovered from the conscious possession of petitioner. He has further submitted that the name of the

petitioner has surfaced only on the basis of CCTV footage and no FSL/forensic report has been submitted by the prosecution to authenticate the same. Hence, the alleged CCTV footage is a matter of trial. Except the alleged CCTV footage, there is no independent eye witness to support the prosecution case and the alleged identification from CCTV footage is a matter of trial and requires proper verification during evidence before the Id. Court. He has further submitted that no T.I.P. has been conducted and no independent witness has identified the petitioner in connection with the alleged occurrence and the F.I.R. registered against the unknown and latter the name of the petitioner has surfaced on the basis of confessional statement of the other co-accused. The petitioner has got one criminal history and he is custody since 25.01.2026 Accordingly, it has been prayed to allow the said bail petition.

Per contra, learned A.P.P. for the State has vehemently opposed the prayer for bail and has submitted that in his own confessional statement accused-petitioner has confessed his involvement in this alleged occurrence and from perusal of the seizure list it is evident that several ornaments have been recovered from the house of petitioner. Accordingly, it has been prayed to reject the regular bail petition.

Heard both parties and perused the case record from perusal of the case record it is evident that on the basis of his own confessional statement as well as on the basis of confessional statement made by other accused persons name of present petitioner has been surfaced in this case. Further, from perusal of the seizure list it is evident that several ornaments just like Hath ka Panja 02 piece, ring 06 pieces, one chain 125 grams about which it is alleged that said are stolen articles as well as Rs. 71,200/- rupees along with mobile have been recovered from the house of present petitioner. Further, other witnesses of the case diary have also supported the case of prosecution.

So, having considered the above facts as well as submissions made by Id. A.P.P., I am not inclined to enlarge the petitioner on regular bail. Hence, petition for regular bail filed on behalf of the accused-petitioner namely Saheb Khan @ Sk. Saheb is hereby rejected.

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

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

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

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Date of Order	08.06.2026
Date of Reserving Order	N/A
Uploading Date	19.06.2026
Uploaded By	Prakash Kumar Singh, Steno D.A.S.J.-II, Katihar