

Kanhaiya Jee Choudhary
Principal District & Sessions Judge, Purnea
ABP No.- 391/2026 (C.I.S. No. 391/2026)
(Arising out of Mirganj P.S. Case No. 193/25)
Md. Rajiv Vs. State of Bihar
Order dated:- 18.04.2026

THE COURT OF PRINCIPAL DISTRICT AND SESSIONS JUDGE, PURNEA
Anticipatory Bail Petition No. 391/2026 (CIS No. 391/2026)
(Arising out of Mirganj P.S. Case No. 193/2025)

IN THE MATTER OF:-

Md. Rajiv, aged about 45 years, S/o Farid, resident of
Village- Mirganj Masjid Tola, Ward No. 3, P.S. Mirganj,
District Purnea Petitioner.

Versus

State of Bihar..... O.P.

Date of order or proceeding	Order with signature of the court	Office action taken with date
18.04.2026	1. This anticipatory bail application filed on 28.02.2026, on behalf of the petitioner, namely, Md. Rajiv, who is apprehending his arrest in connection with Mirganj P.S. case no.- 193/2025 registered for the offence under sections 303(2), 317(4), 317(5) of B.N.S. is put up for hearing. 2. Heard Sri Pradip Kumar Mishra, learned counsel for the petitioner as well as Sri A.K.Tiwary, learned P.P. appearing for the State. 3. As per written complaint of the informant, who is PTC130 of Mirganj P.S., the prosecution case, in brief, is that on 24.10.2025 at about 11.00 hours, informant along with other police personnel during the course of patrolling received a secret information that co-accused Md. Touhid kept two stolen motorcycles in his house. Then the informant informed to higher police officials regarding the matter and at about 11.15 hours reached to the house of co-accused Md. Touhid and recovered two motorcycles - (1) without number plate Splendor Pro motorcycle and (2) Regd. No. BR 39AN-2077 the accused does not produce any valid document. On verification on HHD machine the motorcycle having Regd. No. BR 39AN-2077 the Chassis number came to be MBLHAW216PHD16770 where the chassis number printed on vehicle was MBLHAW127NHH18031. The second	

Contd. 18.04.2026	motorcycle without number plate's chassis number was MBLHA10ADB9J22178 and its Registration number was found to be BR11K9497. On interrogation, co-accused Md. Touhid disclosed that on 22.10.2025 and 23.10.2025, Md. Rajeev (petitioner) provided him to sale. On demand of paper regarding ownership of the aforesaid motorcycles from Md. Touhid, he did not produce any valid paper related to it. Accordingly, the informant presuming two members of patrolling parties as independent witnesses and prepared seizure list of aforesaid recovered motorcycles from the house of co-accused Md. Touhid and arrested him. 4. The learned counsel for the petitioner has submitted that the petitioner has one criminal antecedent and he is accused in Mirganj P.S. Case No. 57/21. He has further submitted that the petitioner is innocent and he has been falsely implicated in this case due to local politics. It has been further submitted that nothing has been recovered either from the possession or premises of the petitioner. The petitioner has been made an accused only on the basis of confessional statement of co-accused Md. Touhid whereas he has no concern with the alleged occurrence. So, prayed for anticipatory bail. On the other hand, learned P.P. has opposed the prayer of bail of the petitioner. 5. I have heard the rival submission of both the parties and perused the case record and case diary. It is a case of recovery of two stolen motorcycles from the house of co-accused Md. Touhid by the informant but it has not come in the case diary regarding real owner of the alleged recovered motorcycles from the house of the aforesaid co-accused. Petitioner's name has been brought into the case on the basis of confessional statement of co-accused Md. Touhid, whereas during the investigation, no stolen material was recovered from him. It	
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Contd. 18.04.2026	appears that an organised gang of vehicle lifter are active and petitioner is one of the active members as he has provide theft motorcycle to sell to co-accused. There is specific allegation on the petitioner and investigation in this case is going on. Petitioner is having one criminal history (para 9 of supplementary case diary). It is not a fit case of anticipatory bail. 6. Under the facts and circumstances discussed above, I am not inclined to give the benefit of section 482 BNSS to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby <i>rejected</i>. The petitioner may surrender before the learned court below and seek regular bail. (Dictated & corrected by me) sd/- (Kanhaiya Jee Choudhary) Pr. Distt. & Sessions Judge, Purnea.	
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Date of Judgment/Order -	18.04.2026
Date of Reserving Judgment/Order -	18.04.2026
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