

*Kanhaiya Jee Choudhary,
Principal District & Sessions Judge, Purnea,
BP No.-540/2026 (CIS No. 540/2026)
(Arising out of Sadar P.S. Case No. 224/2026)
Md. Rizwan Vs State of Bihar
Order dated:- 03.06.2026*

**THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, PURNEA
Bail Petition No. 540/2026 (CIS No. 540/2026)
(Arising out of Sadar P.S. Case No. 224/2026)**

IN THE MATTER OF:-

Md. Rizwan, age 25 years, S/o Md. Salim @ Md. Salimuddin Ansari, resident of
Muzaffar Ahmad Nagar, P.S. K.Hat (Sahayak) 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
03.06.2026	1. This bail petition filed on 21.05.2026, on behalf of the petitioner, namely, Md. Rizwan, who is in judicial custody since 06.05.2026, in connection with Sadar P.S. Case no.- 224/2026 registered for the offence u/s. 304(2), 317(2), 317(4) of B.N.S. is put up for hearing. 2. Heard Md. Faiyaz Alam, the learned counsel for the petitioner and Sri Uday Keshri, the learned P.P. I/c appearing for the State. 3. The prosecution case, in brief, is that on 05.05.2026, at around 22:50 p.m., informant Pankaj Pratap, S.I.-cum-In-charge Katihar Mod T.O.P. received an information that two persons on a red and grey colour motorcycle, registration number-BR38AN-8950, were about to snatch mobile phones between Kaptan Pool and Katihar Mod under Sadar police station and both the persons were going to sell the snatched mobile phones. After verifying the above information and informing the senior officer, the informant reached near Kaptan Pool at around 23:20 hrs. and arrested two persons riding on the motorcycle bearing registration number-BR38AN-8950. Both apprehended accused disclosed their names respectively as Md. Aman and Md. Rizwan. Due to it was late night, no independent witnesses was present there. Thereafter, considering two police men as independent witnesses, both apprehended accused were searched one by one and in the course of searching, five screen touch	

Contd. 03.06.2026	mobile phones of different brands were recovered from Md. Aman. Thereafter when the search of the accused Md. Rizwan was conducted, four screen touch mobile phones and an XTREME motorcycle bearing registration number-BR38AN-8950 were recovered from him. Both apprehended accused did not produce any valid documents regarding nine mobile phones. On being asked, they told that both of them snatch mobile phones by using the motorcycle and sell them to their other friends through WhatsApp. Thereafter, their WhatsApp chats were reviewed by the informant. From observation it was found that the mobile number 9905697923 was found in the name of Aman Chhotka Ikka. Rizwan has sent several messages from his mobile to Mohd. Aman alias Aman Chotka Ikka on different mobile WhatsApp messages and both of them work together to sell mobile phones and continuous chat has been done on Rizwan's mobile through WhatsApp with mobile number 7004648774 and it has been found that the rate of the mobile is Rs. 2,400/- (two thousand four hundred) and the lock of the mobile has not been broken yet and photos of new mobile phones have been sent several times to mobile number 9002153041 saved in the name of Anish Brothers in Mohd. Rizwan's mobile, which makes it clear that Anish Brothers, holder of mobile number 9002153041, holder of mobile number 7004648774 and holder of mobile number 9905697923 is Mohd. Aman alias Aman Chotka Ikka is involved in the illegal purchase and sale of mobile phones. Mohammad Rizwan further stated that some of the mobile phones were sold to Ryan Telecom of Ahle Hadith Mosque, Madhopada, Purnia. Then the informant seized all the recovered articles and a seizure list was prepared by him. 4. The learned counsel for the petitioner has submitted that the petitioner has clean antecedent. It has been further submitted	
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Contd. 03.06.2026	that the F.I.R. does not mention whether the mobile phones recovered from the petitioner were stolen. The petitioner has been detaining in judicial custody since 06.05.2026. So, prayed for bail. On the other hand, learned P.P. strongly opposed the prayer of bail of the petitioner. 5. I have heard rival submissions of both parties and perused the case record and case dairy. Recovery of total nine mobile phones of different brands from the possession of the petitioner and co-accused Md. Aman and the fact that they did not show any valid receipt of said mobile phones on demand shows that the said mobile phones were stolen. An attempt has been made to conceal the criminal history of the petitioner by making false submissions, whereas the criminal history of the petitioner is clearly mentioned in para 31 of the case diary that he is facing trial in Sahayak Khazanchi P.S. Case No. 238/24. Suppressing the fact is a serious offence in the eyes of law. 6. Under the facts and circumstances as discussed above, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of petitioner, Md. Rizwan is, hereby, rejected. The petitioner may renew his bail application after framing of charge. (Dictated & corrected by me) sd/- (Kanhaiya Jee Choudhary) Pr. District & Sessions Judge, Purnea	
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Date of Judgment/Order -	03.06.2026
Date of Reserving Judgment/Order -	03.06.2026
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