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IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE-1st-CUM- SPECIAL JUDGE
(SC/ST, NDPS & CHILDREN ACT)
AURANGABAD (BIHAR)
BAIL APPLICATION No. 211/2026
Arising Out of Daudnagar P.S. Case No. 633/2025

Rajnish Kumar **Petitioner**
The State of Bihar **Opposite party**
Vs.
C.I.S. Reg. No. 211/2026

Present:- Vishwa Vibhuti Gupta

Sr. No.	Date	Order with signature of the Court	Office Action/s taken with Date
	12.03.2026	<p>IN THE MATTER OF :-</p> <p>Rajnish Kumar, aged about 20 Years, S/o-Dhirendra Paswan, R/o village-Kera, PS-Daudnagr District-Aurangabad(Bihar)</p> <p style="text-align: right;">.....Petitioner</p> <p style="text-align: center;">Versus</p> <p>The State of BiharOpposite Party</p> <p style="text-align: center;"><u>ORDER</u></p> <p>The record has been placed before me for orders. This regular bail application has been preferred by the abovenamed accused-petitioner namely Rajnish Kumar who has been in judicial custody since 09.10.2025 in connection with Daudnagar P.S. Case No. 633/2025 dated 08.10.2025 has been registered for the offences punishable under Sections-25(1-b)a, 26,35 of the Arms Act against the accused persons including the accused-petitioner. In the course of hearing, the CD and LCR were called for and the same have been received and available on the judicial record for perusal of the court. A copy of the bail petition has already been received to the Ld. APP for the state.</p> <p>Heard, Shri Ashok Kumar Sinha, the Learned Advocate for the petitioner and Shri Ram Naresh Prasad, the Learned Addl. P.P. for the State.</p> <p>The Ld. Advocate for the petitioner has submitted that the petitioner is innocent and has committed no offence. The bail petition of the petitioner has earlier been rejected by the court of SDJM on 15.10.2025. He further submitted that as per allegation the seized arms has been recovered from physical possession of the petitioner but on perusal of seizure list the same has been recovered right side of Kajal Cement brick-kiln towards west of canal road from the vacate land. The charge has been framed on 07.01.2026 against the petitioner and the case has been fixed for evidence. the other co-accessed Jailendra Yadav has been granted regular bail by this court vide BP No. 1317/2025 dated 08.12.2025 and the case of petitioner is stand on similar footing. It is further submitted that petitioner has falsely by the informant due to criminal antecedents as he has always been falsely implicated by the concerned PS but he has not been convicted in any case and all the cases are in trial stage before he lower court at Daudnagar. The petitioner has been in jail custody more than four months and now he should be released on bail as per ruling of Satyendra until case of Supreme Court of India. The petitioner has been languishing in judicial custody since 09.10.2025. The petitioner is ready to abide by the terms and conditions of bail. Hence, prayed to enlarge the petitioner on bail.</p> <p>On the other hand, the Ld. A.P.P. appeared on behalf of the state has vehemently opposed the prayer for bail and prayed to reject the bail petition.</p>	

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<p>Contd.... 12.03.2026</p>	<p>I have heard the Ld. Advocates of both the parties and perused the bail application; FIR; Case diary, and other documents available on the judicial record. One Chandan Kumar, ASI of Kutumba PS is the informant of this case. As per the FIR, the allegation against the petitioner is that on 08.10.2025 at about 9.55 O'clock, the informant got secret information that two or three persons carrying illegal weapons in a black Scorpio, were repeatedly moving around near canal road Kera. On information, the police went and caught the vehicle but the Scorpio's driver managed to flee and the other two persons riding in the vehicle were caught who disclosed their name as Rajnish Kumar (petitioner) and Jalendra Yadav and when the police asked about the person fled away they disclosed the name as Virjit Kumar @ Chhotu @ Vijendra Kumar (petitioner). During search, the police recovered one iron made countrymade pistol from the possession of Rajnish Kumar(petitioner). Further, on perusal of the case record, the charge has been framed against the accused Rajnish Kumar on 07.01.2026 U/ss-25(1B),26,35 of the Arms Act. Out of total 07 prosecution witnesses listed in the chargesheet, a total 05(five) of them have been examined and 02(two) prosecution witnesses are yet to be examined. From perusal of para-16 of the CD, the accused-petitioner also bears three prior criminal history. The petitioner is the named accused of the FIR and there is serious allegations of recovery of country-made Pistol from his possession.</p> <p>The conspectus of the case is that crime is serious in nature which affects the society at large. Hence, considering the enormity of offence and recovery of country-made Pistol and considering the totality that the trial is at the stage of fag end, this Court is not of the view to release the accused-petitioner on regular bail at this point of cause. Accordingly, the prayer for regular bail of the accused-petitioner namely Rajnish Kumar is hereby rejected.</p> <p>(The order is dictated, and corrected by me.)</p> <p style="text-align: right;">(Vishwa Vibhuti Gupta) District & Additional Sessions Judge-1st-cum- Special Judge (SC/ST, NDPS & Children Act) Aurangabad(Bihar) Dated: 12.03.2026</p>	
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