

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI

B.A. No. 279/2026

Ref:- Arising out of S.Kamal P.S. Case No. 339/2025

Dt: 03.12.2025

U/S-25(1-B)(a)/26/35 of Arms Act.

In the matter of :-

Raja Kumar, S/o Awadesh Rai, R/o vill. Bhaiya Ram Tola Tikarampur, P.S.

Muffasil, Distt. Munger

.....Petitioner

Vrs.

The State of Bihar

.....Opposite Party

Present:- Rishi Kant

Principal Sessions Judge, Begusarai

Ld. Counsel for the petitioner:- Sri Niraj Kumar, Adv.

Ld. Counsel for the O.P. :- Ld. P.P. I/C

Date of order:-01.04.2026

ORDER

The present bail petition has been filed on behalf of above named accused/petitioner who has been in custody since 04.12.2025 in connection with above mentioned case for the offence punishable u/s 25(1-B)(a)/26/35 of Arms Act and the same has been put up for hearing.

Heard Learned Counsel Sri Niraj Kumar, appearing on behalf of accused/petitioner and Ld. P.P. I/C for the State.

The prosecution case, in brief is that on 03.12.2025 at 16.25 hours the informant received a secret information that a person by taking illegal weapon on Pulsar 220 Motorcycle was going to Khagaria from Ballia. Acting upon the information; at 16.35 hours the informant started vehicle checking near Usha Bhujangi College. During this at 16.50 hours two person on Pulsar 220 Motorcycle were coming and they were indicated to stop the vehicle, but they tried to flee away. Upon chased, they were apprehended. Upon interrogation; they disclosed their names as Raja Kumar and Pawan Kumar @ Stilwa. Upon searching; one loaded country-made katta having one live cartridge was recovered from the left side of the waist of Raja Kumar and four live cartridges were recovered from the pocket of Pawan Kumar @ Stilwa. Then the seizure list has been prepared. Accordingly, the present case has been registered.

Learned counsel appearing on behalf of the accused/petitioner submitted that the petitioner never moved earlier before this court or before the Hon'ble High Court either for grant of anticipatory bail or for grant of regular bail. It is further submitted that the petitioner is innocent, has committed no offence, and has been falsely implicated in this case. The petitioner has one criminal antecedent, i.e., Munger Mufassil P.S. Case No. 155/2024 in which he is on bail. It is further submitted that the search and seizure list has not been prepared in accordance with law and nothing has been recovered from the physical and conscious possession of the petitioner. The charge-sheet has been submitted. Lastly, he submitted that the petitioner has been in custody since 04.12.2025, and is willing to comply with any conditions imposed by the Court. Accordingly, he prays to be released on bail.

Per contra, learned P.P. I/C appearing on behalf of the State opposed the prayer

for bail, but fairly conceded that the charge-sheet has been submitted against the petitioner.

Heard learned counsel for the parties, and perused the lower court records, including case diary. As per the F.I.R., the allegation against the petitioner is that he was apprehended on spot in possession with one loaded country-made katta, having one live cartridge. Further, from perusal of the seizure list, it appears that there is no compliance of Section 103 of the B.N.S.S. Further, from perusal of the record, it is evident that the charge-sheet has already been submitted against the petitioner, and at this stage, there is also no submission on behalf of the State that the release of the petitioner is likely to result in tampering with evidence or interfering with the course of trial. Further, from perusal of para 3 of the bail petition, it appears that the petitioner has one criminal antecedent in which he is on bail. Moreover, the petitioner has been in judicial custody since 04.12.2025.

Considering aforesaid facts, circumstances and custody period of accused, I find it appropriate to grant bail to the petitioner. Accordingly, the prayer for bail is allowed. Let the accused/petitioner be released on bail on furnishing of bail bond of Rs 10,000/- (ten thousand) with two sureties of like amount each with the satisfaction of learned court below subject to, further conditions:-

1. That one of the bailors must be close relative of the accused/petitioner.
2. That the accused/petitioner undertakes that he shall not indulge in any similar nature of offence till conclusion of the trial and on failing so, court concerned shall be liberty to cancel the bail bond in present case if reported by the prosecution.

Office is directed to send a copy of this order through e-mail to the undertrial prisoner/petitioner through the Jail Superintendent, Begusarai.

(Dictated)

Sd/-

(Rishi Kant)

Principal Sessions Judge, Begusarai

Date of Judgment/Order	01.04.2026
Date of Reserving Judgment/Order	N.A.
Uploading Date	04.04.2026
Uploaded by	Rahul Verma