

**IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI**

**B.A. No. 778/2026**

**Ref:- Arising out of Mansoorchak P.S. Case No. 43/2026**

**Dt: 20.03.2026**

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

**In the matter of :-**

**Saket Kumar, S/o Parmanand Chaudhary, R/o:- Vill.-Koriyama, Ward no. 08,  
P.S. Dalsinghsarai, Distt.-Samastipur**

**.....Petitioner**

**Vrs.**

**The State of Bihar**

**.....Opposite Party**

**Present:- Rishi Kant**

Principal Sessions Judge, Begusarai

**Ld. Counsel for the petitioner :-Shri Nakul Mahto, Adv.**

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

**Date of order:-03.06.2026**

**ORDER**

The present bail petition has been filed on behalf of above named accused/petitioner who has been in custody since 20.03.2026 in connection with above mentioned case registered u/s 25(1-B)a/26/35 of Arms Act and the same has been put up for hearing.

Heard Learned Counsel Shri Nakul Mahto, appearing on behalf of accused/petitioner and Ld. P.P. I/C for the State.

The prosecution case, in brief is that on 19.03.2026 at about 00:45 O'clock, during patrolling near Samsa Petrol Pump; the informant got secret information that two persons armed with illegal weapon and cartridge riding on Pulsar motorcycle were coming towards Mansurchak from Dalsinghsarai. Thereafter, the informant along with others reached at the spot and started checking vehicle. At about 01:20 O'clock, two persons were coming on motorcycle and they were stopped, the said two persons tried to flee, but they were apprehended with the help of police force. Upon query; they stated their names as F.I.R named accused Saket Kumar and Sanjeev Choudhary. Upon searching; an illegal countrymade pistol loaded with five live cartridges and a loaded magazine with five live cartridges were recovered from the possession of Saket Kumar. Nothing has been recovered from the possession of Sanjeev Choudhary. Thereafter, seizure lists were prepared at the spot.

The learned counsel appearing on behalf of the accused/petitioner submitted that the petitioner has not previously filed any anticipatory bail or regular bail application before this Court or any higher Court prior to the present application. It is further submitted that the petitioner is innocent, has committed no offence, and has been falsely implicated in the present case. The entire allegation against the petitioner is totally false and nothing any arms or cartridges have been recovered from this petitioner. It is further submitted that there is no independent witness to the alleged recovery and that the mandatory provisions under Section 103(4) of the B.N.S.S. Act have not been complied with. The petitioner has been in judicial custody since 20.03.2026 having no criminal antecedent. Furthermore, other co-accused has been granted bail by this court vide order dated 08.05.2026 passed in BA No. 496/2026 and the case of this petitioner stands on similar footing. He is willing to abide by any condition imposed by this Hon'ble Court and accordingly prays for his release on bail.

Per contra, the Ld. P.P I/C appearing on behalf of State vehemently opposed the prayer for bail.

Heard learned counsel for the petitioner, and learned P.P. for the State. Perused the photocopy of the case diary and the materials available on record. From the F.I.R, it appears that there is no specific allegation against the present petitioner except that he, along with other co-accused persons, was allegedly apprehended at the spot and one country-made pistol along with certain live cartridges was recovered. Upon perusal of the seizure list, it prima facie appears that the provisions of Section 103 of the B.N.S.S. have not been complied with. It further appears from the record that charge-sheet has already been submitted against the petitioner and, therefore, investigation so far as the petitioner is concerned stands concluded. There is also no specific submission on behalf of the State that, if released on bail, the petitioner is likely to tamper with the prosecution evidence or interfere with the course of trial. It is further appears that a co-accused, standing on a similar footing, has already been granted bail by this Court vide order dated 08.05.2026 passed in B.A. No. 496/2026. The petitioner has been in judicial custody since 20.03.2026 and has no criminal antecedent, as disclosed in Paragraph 3 of the bail petition.

Considering the aforesaid facts and circumstances, the period of custody undergone, submission of charge-sheet, absence of criminal antecedent, and the principle of parity with the co-accused who has already been granted bail, this Court is inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail is allowed. Let the petitioner be released on bail upon furnishing a bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below, subject to the following 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 under trial prisoner/petitioner through the Jail Superintendent, Begusarai.**

(Dictated)

Sd/-

(Rishi Kant)

Principal Sessions Judge, Begusarai

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|----------------------------------|-------------|
| Date of Judgment/Order           | 03.06.2026  |
| Date of Reserving Judgment/Order | N.A.        |
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