

IN THE COURT OF SRI DEEPAK KUMAR-I, ADDITIONAL SESSIONS JUDGE- II, BHAGALPUR

Bail Petition No. 293/2026

(Arising out of **Goradih P.S. Case No. 323/2025**)

Sarvesh Kumar, age 30 years, S/o Jaldhar Yadav **Petitioner**

Versus

The State of Bihar **Opposite Party**

Appearance:

For the Petitioner: Mr. Anjani Kumar, Learned Advocate.

For the State: Mr. D.N. Sahay, Learned A.P.P.

Date of Order	Order with Signature of the Court
1	2
09.04.2026	A regular bail petition has been filed on behalf of the above named accused-petitioner who is in judicial custody since 08.12.2025 in connection with Goradih P.S. Case No. 323/2025 for the offence punishable U/s 25 (1-b)a, 26 Arms Act. On behalf of petitioner a certificate has been given at para-2 of bail petition that earlier petitioner has not filed any anticipatory or regular bail petition either before Ld. Principal Sessions Judge, Bhagalpur or before the Hon'ble High Court, Patna. A certificate has given at para-1 of the supplementary bail petition that accused-petitioner has one criminal antecedent bearing Jagdishpur (Goradih) P.S. Case No. 297/2023 U/s 37 of Bihar Excise and Prohibition Act in which he is on bail. Prosecution case, as per FIR of informant Uttam Kumar, ASI Goradih police station, in brief, is that he alongwith other police personnel were on patrolling duty and he has received a secret information that Sarvesh Kumar having with weapon was walking at Ramchandra village. On information, he alongwith his police personnel reached at the house of Sarvesh Kumar and saw that one miscreant is trying to flee away after seeing the police party. Thereafter, he was chased and caught by the police. On inquiry, caught person told his name as Sarvesh Kumar. On search, one Desi Katta has been recovered from the house of this accused-petitioner which was seized and seizure list was prepared. Hence, this FIR is lodged. The Ld. counsel for the petitioner submitted that the petitioner is innocent and has not committed any offence and he has falsely been implicated in this case. Further, submits that alleged sections are not made out against the accused-petitioner and nothing has been recovered from the possession of this accused-petitioner and the name of petitioner has surfaced in this case on the basis of suspicion and petitioner was not present at the place of occurrence. Further, submits that petitioner is in judicial custody since 08.12.2025, hence,

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Contd..../P-2 09.04.2026	petitioner deserves bail. On the other hand, learned Additional Public Prosecutor for the State opposed the prayer for regular bail of the petitioner. Heard both the parties. Perused the case record as well as case diary and on perusal the same it transpires that there is allegations against this accused-petitioner that this accused-petitioner has caught red handed with one Desi Katta by the police. Seizure list witnesses are police personnel and there is no any independent witness in this case. In the present case, after completion of investigation police has submitted charge-sheet against the accused-petitioner. Accordingly, cognizance U/s 25 (1-b)a, 26 Arms Act has already been taken against the accused-petitioner on 11.02.2026. Moreover, accused-petitioner has been languishing in judicial custody since 08.12.2025 which is about four months. In the facts and circumstances as stated above and considering the period of custody, petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two surety of the like amount each to the satisfaction of the Ld. Trial Court with conditions: (1) One of the bailor must be close relative of the petitioner. (2) Petitioner shall physically present on each and every date before the Ld. Trial Court. (3) Petitioner shall not repeat similar type of offence otherwise his bail bond shall liable to be cancelled. Sd/- Additional Sessions Judge II Bhagalpur.