

In the Court of Sri Dipankar Pandey, Principal District & Sessions Judge, Bhagalpur, B.A. No. 310/2026, Anand Yadav Vs. The State of Bihar & B.A. No. 312/2026, Aakash Kumar Katariya @ Akoo Vs. The State of Bihar, order dated 16-04-2026.

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

**Bail Application No. 310/2026**

Anand Yadav Versus State of Bihar

**&**

**Bail Application No. 312/2026**

Aakash Kumar Katariya @ Akoo Vs. The State of Bihar

**Mojahidpur P.S. Case No. 17/2026**

Counsel for the Petitioners :- Sri Narayan Pathak, Advocate.  
:- Sri Sunil Kumar Singh, Advocate.  
For the State :- Sri S.N.P. Sah, Public Prosecutor.

Date of Order	Order with Signature of the Court
1	2
16-04-2026	<ol style="list-style-type: none"><li>1. B.P. No. 310/26 has been filed on behalf of accused/petitioner Anand Yadav and B.P. No. 312/26 has been filed on behalf of accused/petitioner Aakash Kumar Katariya @ Akoo. Both bail applications arise out of the same case i.e. Mojahidpur P.S. Case No. 17/2026, instituted for offences u/s 25(1-B)(a), 26,35 Arms Act and the petitioners are in custody since 09-02-2026. Since, both aforesaid bail applications arise out of same case, hence, both have been taken up together for hearing &amp; disposal by a common order.</li><li>2. Heard Sri Narayan Pathak and Sri Sunil Kumar Singh, learned counsels for the petitioners and Sri S.N.P. Sah, learned Public Prosecutor for the State.</li><li>3. The prosecution story as stated in the First Information Report is that on 07-02-2026, the informant, S.I. Amarjeet Kumar of Mojahidpur Police Station, along with other police personnel proceeded for evening patrolling duty and in course whereof when the informant was at Maroofchak Patrol Pump, he received secret information that three persons with weapon arrived at Maulanachak Kamela Maidan. Thereafter, the informant proceeded for verification and necessary action and when he reached at the place, saw that three persons with Motorcycle are standing in the field and gossiping and having seen the police force they tried to flee away but out of them two persons were apprehended with the help of police force whereas one person succeeded in fleeing away. On interrogation the apprehended persons disclosed their names as Anand Kumar Verma and Raushan Hari. It is alleged that on search being made from possession of Anand Kumar Verma a loaded country-made pistol in which five</li></ol>

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cartridges were loaded along with a mobile phone, A.T.M. card holder, PAN Card, Adhar Card and Debit Card were recovered whereas from possession of Raushan Hari, a mobile phone was recovered. It is further alleged that a motorcycle bearing registration no. BR-10-AD-8397 was also recovered from the place of occurrence. Upon being asked regarding country-made pistol and motorcycle, Anand Kumar Verma disclosed that the motorcycle belongs to one Akash Kumar Katariya @ Aku, who was with them but he succeeded in fleeing away. He further disclosed that he purchased the said country-made pistol from Anand Yadav through Tushar Kumar on payment of Rs. 35,000/-. Accordingly, the recovered arms, ammunition and motorcycle were seized as per seizure list. Thereafter, the police team reached at the house of petitioner Anand Yadav where he was found present and upon being asked, he disclosed that at the instance of Tushar Kumar, he sold the country-made pistol and cartridge to Anand Kumar Verma. Thereafter, Anand Yadav was apprehended and on the disclosure of Anand Yadav, the police team reached near Budhanath Temple where it was found that Tushar Kumar was sitting in a Brezza vehicle. He was apprehended and upon being asked Tushar Kumar admitted the fact that he provided weapon to Anand Kumar Verma from Anand Yadav. Thereafter, the person of Tushar Kumar was searched and in course whereof a mobile phone was recovered. Accordingly, the recovered mobile phone as well as Maruti Suzuki Brezza vehicle bearing registration no. BR-10-AV-7992 were seized as per seizure list. The apprehended accused persons were formally being arrested and they were remanded to judicial custody and on the basis of typed application of informant the present case has been instituted.

4. Learned counsels appearing on behalf of the petitioners submits that both the petitioners are innocent and have committed no offence as alleged in the F.I.R. They have been falsely implicated in the present case. It is further submitted that the allegation against the petitioners is wholly misconceived and not applicable against them. It has been submitted that nothing incriminating has been recovered from possession of petitioners. The petitioner Aakash Kumar Katariya @ Akoo of B.P. No. 312/2026 bears clean antecedent whereas three criminal cases are pending against petitioner Anand Yadav of B.P. No. 310/2026. It is further submitted that there is no independent witness of seizure

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list rather the seizure list witnesses are police personnel which creates doubt regarding the genuineness of whole prosecution story. Both petitioners are in custody since 09-02-2026. The learned counsel for petitioner Anand Yadav of BP No. 310/2026 submits that as per FIR the only allegation against the petitioner is that he sold the arms to co-accused Anand Kumar Verma whereas the allegation against petitioner Aakash Kumar Katariya @ Akoo is that his motorcycle was recovered from the place of occurrence. The learned counsels for petitioners further submit that earlier having similar allegation, other co-accused persons have been granted bail by this court.

5. The Learned P.P. though opposed the prayer for grant of bail to the petitioners but fairly conceded that nothing incriminating has been recovered from possession of petitioners and earlier similarly situated co-accused persons have been granted bail by this court.
6. Perused the case record as well as the case diary. In course of investigation, the I.O. has recorded the re-statement of the informant at para 3, whereas at paragraphs 4 and 5 of the case diary, the statements of other police witnesses have been recorded, who have categorically supported the prosecution case. The confessional statement of co-accused Anand Kumar Verma is available with the case diary and from perusal whereof, it transpires that the said co-accused apart from admitting his involvement also disclosed the names of other co-accused persons. As per para 56 of the case diary the seized motorcycle stands in the name of one Suresh Pd. Sah and as per para 57 of the case diary the seized Maruti Suzuki Brezza vehicle stands in the name of Pappu Rai. As per expert report the recovered arms and ammunition were in workable condition. As per para 62 of the case diary, it appears that three criminal cases are pending against the petitioner Anand Yadav whereas as per para 65 of the case diary, the petitioner Aakash Kumar Katariya @ Akoo bears clean antecedent. Investigation of the case is still going on.
7. After having gone through the documents and materials available on record, this Court finds that the petitioners are named in the F.I.R. and the allegation against them is that when the police on the basis of secret information apprehended co-accused Anand Kumar Verma and Raushan Hari, it is alleged that arms and ammunitions were recovered from possession of co-accused

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Anand Kumar Verma whereas nothing incriminating has been recovered from possession of co-accused Raushan Hari. Further, co-accused Anand Kumar Verma disclosed before the police that he purchased the said Arms and Ammunitions from petitioner Anand Yadav through co-accused Tushar Kumar. Further, the name of petitioners has been disclosed by co-accused persons, who were arrested on spot. Earlier, other co-accused persons have been granted bail by the predecessor of this court.

8. Therefore, considering the fact that nothing incriminating has been recovered from possession of petitioners, they are in custody since 09-02-2026 and co-accused persons have been granted bail by the predecessor of this court, both the bail applications of petitioners is here by **allowed**. The above named two petitioners are directed to be released on bail on furnishing bail bonds of Rs. 15,000/- each with two sureties of the like amount each to the satisfaction of the learned court below, with condition that one of the bailors of each petitioner shall be close relatives. Further, the petitioners shall file an undertaking that they will not indulge themselves in the act of similar nature in future and if it is found that they are getting involved in similar offences, their bail shall liable to be cancelled. The petitioners are also directed to co-operate in investigation/trial.
9. Accordingly, both bail applications is hereby disposed off.

Sd/-  
(Dipankar Pandey)  
Principal Sessions Judge.