

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Regular Bail Petition No. 82 of 2026

(Arising out of Gopalganj P.S. Case No. 837 of 2025, U/S 111 and 317(5) of the B.N.S. and Sec. 25(1-B) (a), 26, 25 (1-AA), 25, 25(6) and 25(7) Arms Act)

In the matter of :-

Name of the petitioner	: Fahim Anwar Siddiqui @ Babar.
F.I.R. U/S	: 111 and 317(5) of the B.N.S. and Sec. 25(1-B) (a), 26, 25 (1-AA), 25, 25(6) and 25(7) Arms Act
Charge-Sheet U/S	: 111, 317(5) and 61(2) of the B.N.S. and Sec. 25(1-b)a, 26, 25 (1-AA), 25, 25(6) and 25(7)/35 Arms Act
Counsel for the Petitioner	: Shri Kamlesh Kumar, ld. Adv.
Counsel for the State	: Shri Deo Vansh Giri, ld. P.P.

ORDER

11-03-2026

1. This Bail Application filed on behalf of above named petitioner, who is in judicial custody since 15-11-2025 in connection with Gopalganj P.S. Case No. 837 of 2025, U/S 111 and 317(5) of the B.N.S. and Sec. 25(1-B) (a), 26, 25 (1-AA), 25, 25(6) and 25(7) Arms Act , is put up for hearing today.

2. As per the FIR, prosecution case in brief is that on 14-11-2025 at about 21:45 pm, informant Praveen Kumar Prabhakar, who happens to be S.I.-cum-S.H.O. of Gopalganj P.S. along with police party was checking of vehicle near Turkaha bridge on the occasion of counting of votes and for maintaining law and order. During the course of vehicle checking, at about 20:35 O'clock, one motorcycle was seen coming towards Thawe, which was intercepted and caught by the police. On interrogation, apprehended person disclosed his name as Md. Fahim Siddique @ Babar (petitioner). After complying the rule of search, search was conducted by the police and on search, one loaded country-made pistol along with four live cartridges, Carbine along with magazine, six live cartridges and one knife were recovered from the possession of the apprehended accused-petitioner along with one motorcycle bearing reg. no. BR29BC1994. When apprehended accused-petitioner was asked the paper of recovered articles from him, no any document was produced nor any answer was given satisfactorily. When apprehended accused-petitioner was asked about the recovered weapon, it was disclosed that he was coming armed with said recovered weapons for taking possession over the 7 Katha 10 dhur land of Plot No. 763 of Khata No. 17 along with accused Mahmud Alam and Md. Taufik Hussain.

3. It is submitted on behalf of accused/petitioner that he is innocent and has committed no offence and has been falsely implicated in

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this case. It is further submitted that the seizure list witnesses are police personnel and no independent witness has been examined, which is clearly violation of the mandatory provision of Section 100 Cr.P.C. It is further submitted that the alleged place of occurrence as shown by the prosecution is not the place from where the petitioner was apprehended, which creates serious doubt on the prosecution version and the alleged recovery. It is lastly submitted that petitioner has got two criminal antecedent, in which he is on bail and he is in custody since 15-11-2025. On such strength, prayer for bail has been made by the petitioner.

4. Heard ld. Counsel for the petitioner as well as ld. P.P. for the State. Ld. P.P. for the State has opposed the prayer for bail of the petitioner.

5. Having heard both the parties and perused the case record along with case diary. From the perusal of the F.I.R as well as case diary, it transpires that petitioner is named in the F.I.R., who was caught on spot along with one motorcycle and from his possession, one loaded country-made pistol along with four live cartridges, Carbine along with magazine, six live cartridges and one knife were recovered as alleged. Although, informant at para-04 of the case diary and witnesses at para-05, 06 and 07 of the case diary have repeated the version of the prosecution but all the witnesses are official witnesses. Para-60 of the case diary shows that petitioner has got criminal antecedent of two criminal cases. At para-64 of the case diary, it is evident that after completion of investigation against this petitioner, Charge-Sheet No. 1341/25 dated 30-12-2025 has been submitted against them. From perusal of the materials available on record, it appears that trial will take considerable time. From perusal of the record, it appears that co-accused Taufiq Hussain and Abre Alam @ Malik @ Usman Chacha have been granted bail by this court in B.P. No. 1259/2025. The petitioner appears to be in custody since 15-11-2025.

6. Considering the aforesaid facts and circumstances of this case and considering the period of custody of the petitioner and without going into the merit of this case, this court is inclined to grant bail to the petitioner and hence, the same is hereby allowed. Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the ld. Court below **subject to conditions that one of the bailors shall be close relative of the petitioner and one shall be local and petitioner will give an undertaking that he will not temper with the evidence and he will**

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co-operate in the investigation/trial.

Let a copy of this order along with lower court record be sent to the ld. Lower court for information and needful.

(Dictated)

(Geeta Gupta)

Principal Sessions Judge, Gopalganj.