

Arising out of Morkahi P.S. Case No. 41/ 2026, District-Khagaria.

**Pawan Yadav Vs. State of Bihar**

For Petitioner : Ld. Counsel Sri. Radhe Pd. Yadav.

For The State : Ld. Addl. P. P. Smt. Rajani Kumari.

**Date of order : 30.04.2026**

1. The present regular bail application has been filed on behalf of the accused petitioner namely **Pawan Yadav, S/o Devo Yadav, aged about 55 years**, R/o Vill- Anandpur Paras, P.S.- Morkahi(Amousi), & District- Khagaria, who is languishing in jail custody since 01.03.2026 in connection with Morkahi, P.S. Case No.- 41/2026 registered under section 25(1-B)(a), 26 of the Arms Act.
2. As per FIR, informant S.I. Manish Kumar alleged that on 28.02.26 at about 11:00 p.m., he received secret informant was received that Pawan Yadav was hiding illegal country-made weapons and cartridges inside his house located in village Sukhan Bahiyar. To verify the above information and take necessary action, informant informed the senior police officer and reached near Pawan Kumar's house and surrounded it with the help of armed forces, a person tried to escape from inside the house however he was caught with the help of armed forces and when the name and address of the apprehended person was asked, he disclosed his name as Pawan Kumar. His house was searched in the presence of the arrested person Pawan Kumar then two country-made pistol and four live cartridges were recovered kept beneath the mattress. When documents regarding the recovered weapon was asked, he neither produced any document nor could furnish any satisfactory answer. On the basis of above allegation, FIR was registered.
3. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence and falsely been implicated in this case. No other bail application against this petitioner is pending either before this court or Hon'ble High Court Patna. That, there is no recovery of country made pistol and live cartridge from the physical possession of this petitioner. That, one Arun Sah and others have been falsely dragged this petitioner due to land dispute between the petitioner and Arun Sah. That, the petitioner's wife Manju Devi has been filed the written application before the Morkahi P.S. but no F.I.R. was registered against the Arun Sah and Others. Petitioner has no criminal antecedent. Petitioner has been remanded on 01.03.2026 in this case before the Id. A.C.J.M.-Ist, Khagaria.
4. On the other hand, Ld. Addl. P.P. opposed the prayer for bail.
5. Heard both the parties in detail and perused the case diary.
6. The FIR has been registered for the offence punishable under sections 25(1-B)(a), 26 of the Arms Act. Re-statement of the informant is recorded vide para no 02 and statement of witnesses has been recorded vide para no. 05, 33, 34 and 35 of the case diary.

*[Signature]*  
30.04.2026

**IN THE COURT OF PAWAN KUMAR, ADDL. SESSIONS JUDGE-III, KHAGARIA.**

-----**(B.A. No. 275/2026)**-----

Arising out of Morkahi P.S. Case No. 41/ 2026, District-Khagaria.

**Pawan Yadav Vs. State of Bihar**

7. From the materials available on record, it prima facie appears that the petitioner was found in conscious possession of illegal firearms and ammunition. The recovery has been made from the house of the petitioner and there is nothing on record, at this stage, to disbelieve the prosecution version. The nature of accusation is serious and relates to offences involving illegal arms, which have wider implications on public safety and order.
8. Considering aforesaid facts and circumstances of the case, gravity of the offence, the manner of recovery, and the materials available on record, this Court is not inclined to extend the privilege of bail to the petitioner at this stage. Therefore, the regular bail petition of petitioner namely **Pawan Yadav is hereby dismissed.** Accordingly, this bail application is disposed of.
9. The observation made in the present bail petition order are for purpose of deciding the present petition and do not affect the factual matrix of investigation / trial, which is separate issue as per law.
10. Office is directed to send the trial court record, if any, to the court concerned along with the copy of this order.

Dictated

*Pawan Kumar*  
30.04.2026

Addl. Sessions Judge - III, Khagaria.