

IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II

DISTRICT-Katihar
(A.B.P. No. 478/2026)

In the matter of

1. Pradip Sharma aged about 32 years, S/o Shankar Sharma

Above R/o- Kaber, P.S.- Semapur, Distt. - Katihar.

.....Accused/petitioner.

Vs

State of Bihar.....Opposite Party.

Semapur P.S. Case No. 20/2026

U/s- 25(1-b)a/26 Arms Act

Ld. Advocate for petitioner- Shri Amit Kumar Singh

Ld. A.P.P. for the State- Shri Md. Azaj Alam

ORDER

23.04.2026- This anticipatory bail petition has been filed on behalf of accused-petitioner namely Pradip Sharma who is apprehending his arrest in connection with aforesaid case.

Heard the Ld. counsel Shri Amit Kumar Singh appearing on behalf of the petitioner and Ld. A.P.P. Shri Md. Azaj Alam on behalf of the state.

According to F.I.R. prosecution case in nutshell is that informant to this case namely Ram Shankar Kumar, S.H.O., Semapur, Katihar lodged a typed written report alleging therein that on dated 20.02.2026 at about 04:30 o' clock, he was in the village Sakraeli then he received information that one person is brandishing country-made pistol in one marriage ceremony. So on such information, informant along with other police personnel arrived at Kanwar Chowk and after chasing down he apprehended one person. But from his possession no any arms was recovered. When he was asked as to why he was fleeing away then he did not give any satisfactory answer. Further, on being asked he disclosed his name to be Pankaj Yadav. Further, hectic search was made but no any arms could be recovered. But later on, one villager told that one country-made pistol has been kept in wall of the courtyard then on such information, informant arrived at the courtyard of Anita Devi and recovered one country-made pistol. Further, on being asked, Pankaj Yadav told that this is the same arms which was brought about him after demanding the same from Pradeep Sharma (accused-petitioner). Later on, seizure list was prepared and F.I.R. was registered against the accused-petitioner namely Pradeep Sharma and others.

On the other side learned counsel for the petitioner has reiterated all the grounds taken in the bail petition and has submitted that the petitioner has been falsely implicated in this case due to village politics. The allegation made on the petitioner is false and concocted. The petitioner has no concern with the alleged occurrence. No recovery is done from the possession of the petitioner. No independent witness has supported the prosecution story in this case and no independent witness to the alleged seizure list and all witnesses are police persons. The alleged place of occurrence is a public place and no independent witness or local person has been made a witness. Other accused Pankaj Yadav was granted regular bail from A.C.J.M.- I, Katihar. The police

falsely implicated the petitioner in this case. The petitioner has clean history. Accordingly, it has been prayed to allow the said anticipatory bail petition.

Per contra, Learned A.P.P. has vehemently opposed the prayer for anticipatory bail.

Heard both parties and perused the case record. From the perusal of the case record it is evident that, name of the petitioner has been surfaced in this case on the basis of disclosure statement of the informant namely Pankaj Yadav but nothing incriminating article has been recovered from his possession. Moreover, co-accused Pankaj Yadav has already been granted regular bail and the case of present petitioner is on better footing.

So having considered the above facts and submissions made by the Ld. Counsel for the petitioner, the instant anticipatory bail petition is hereby allowed and accordingly it is ordered to release the petitioner namely **Pradip Sharma** on bail in the case of surrender/arrest within three weeks of this order on furnishing of bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court concerned subject to the condition as mentioned in the section 482 (2) of the B.N.S.S.

**Addl. Sessions Judge-II
Katihar**

Date of order	23.04.2026
Date of Reserving order	N/A
Uploading Date	28.04.2026
Uploaded By	Harshit Raj, Steno, DASJ-II, Katihar