

IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-III, KATIHAR
BAIL PETITION NO. 390/2026
(Arising out of Nagar Katihar P.S. Case No. 375/2026)

Shivam Aryan @ Shivam Rajput ... Petitioner

Versus

The State of Bihar ... Opposite Party

Ld. Counsel for the petitioner:-	Sri Nidhi Kumri, Advocate
Ld. Counsel for the State :-	Sri Akhilesh Kumar, APP

Date of hearing/Disposal: 22.04.2026

ORDER

A regular bail petition has been filed on behalf of the accused petitioner namely Shivam Aryan @ Shivam Rajput who is in jail custody since 04.04.2026 in connection with Nagar Katihar P.S. Case No. 375/2026 for the offence registered U/S 126(2), 115(2), 109, 351(2), 3(5) of the B.N.S. and Section 25(1-B)(a), 26, 27 and 35 of Arms Act. The copy of the same has already been duly served to the Ld. Addl. P.P. for the State.

Heard the Ld. counsel for the petitioner and the learned A.P.P. for the State.

The Ld. counsel of the petitioner has submitted that no B.P. or A.B.P. on behalf of the accused petitioner has been filed or moved earlier before this court or before the Hon'ble High Court, Patna. The petitioner is quite innocent and has committed no offence and he has been falsely implicated in this case. That the petitioner has not any criminal antecedent. That the petitioner is a young student and has recently passed the Intermediate Examination from First Division. That the father of the petitioner is no more and his widowed mother is the only surviving parent and sole caretaker of the family. That no firearm, cartridge, mobile phone or any other incriminating article has been recovered from the conscious possession of the petitioner. That the petitioner has been remanded to custody without there being any sufficient material against him. That the petitioner is in judicial custody since 04.04.2026. The petitioner is local man and no chance of his absconding. The petitioner is ready to furnish local and solvent bailors to the satisfaction of the court. Accordingly, prayed to grant bail.

On the other hand, the Ld. Addl. P.P. vehemently opposed the prayer of bail filed on behalf of the above named accused petitioner and submitted that the petitioner has committed the alleged offence under well planned manner. Hence, it is requested to reject the petition of the above named accused petitioner.

The case of the prosecution, in brief is that Inspector Kundan Kumar Singh stated that on 01.04.2026, a viral video showed a boy firing a country-made pistol at different places, creating public fear. Police verification identified the accused as Shivam Rajput @ Shivam Aryan of Amla Tola. Local inquiry described him as a criminal-minded person. Possession and firing of an illegal firearms is a cognizable offence. Hence, the present case.

Heard rival submission of the Ld. counsel on behalf of the accused petitioner and the Ld. Add.P.P. for the State and perused the case diary. From perusal of the same, it transpires that the instant case Nagar Katihar P.S. Case No. 375/2026 has been registered for the offence U/S 126(2), 115(2), 109, 351(2), 3(5) of the B.N.S. and Section 25(1-B)(a), 26, 27 and 35 of Arms Act against the accused persons. The petitioner is the named accused of the FIR and there is allegation that he made his photographs viral through the social media having pitol in his hand. Further, during investigation, on the statement of the accused, police recovered one country-made pistol and two live cartridges from the damaged portion of Petroleum Godown. However, the petitioner has not any criminal antecedent and he is ready to co-operate into investigation and trial of this case and there is no chance of absconding or tampering with the evidence.

Hence, considering the above facts and circumstances as well as the period of custody, I find it judicious to enlarge the above named accused petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of like amount each to the satisfaction of the Ld. Court below.

(Sd/-)

(Sunil Kumar Singh-III)
D.A.S.J.- III, Katihar
22.04.2026