

IN THE COURT OF ADDL. SESSIONS JUDGE-II DISTRICT-KATIHAR

(Bail Petition No. 506 of 2026)

In the matter of

1. Ritesh Kumar S/o Late Raghu Ram, aged about- 30 years
R/o- Mohalla- Daheria Laxmitola P.S.- Katihar, Dist- Katihar.

-----Accused/Petitioner.

Vs

State of Bihar-----Opposite Party.

Katihar (Town) P.S. case No.- 44/2026

U/S- 25(1-b)(a), 26 Arms Act.

Learned advocate for Petitioner- Shri Mahanand Yadav

Learned A.P.P. for the State- Shri Md. Ajaz Alam

ORDER

27-05-2026 This petition for regular bail has been filed on the behalf of the accused namely Ritesh Kumar who is in custody since 10.01.2026 in connection with Katihar (Town) P.S. Case No. 44/2026 P.S. instituted U/S- 25(1-b)(a), 26, Arms Act.

Heard the learned counsel Shri Mahanand Yadav appearing on the behalf of the petitioner and learned A.P.P. Sri Md. Ajaz Alam appearing on the behalf of the State and perused the lower court record along with case diary.

According to the typed written application, the prosecution case in nut shell is that on 8.1.26 at about 21:50 O'clock Masudan Kumar received a secret information that Ritesh Kumar S/o late Raghu Ram resident of village Daharia Lakshmi Tola has concealed illegal weapon in his house and he may commit any mishappening. On such information the informant along with police personnel raided the house of Ritesh Kumar S/O Late. Raghu Ram and in course of raiding he apprehended one person who disclosed his name Ritesh Kumar S/O Late. Raghu Ram (accused-petitioner). It is further alleged that in course of searching three country made Pistol, two live cartridges and some wet substance and total rupees 355040/- as well as electronic weight machine and one mobile recovered. Further on being asked he told that wet substance is a smack and he further disclosed that he has sold total 100 gram Smack and 09 Kg Ganja to another

person namely Sujit Kumar. Later on seizure list of three country made Pistol, two live cartridges and smack as well as other articles were prepared. It is further alleged that on basis of information given by Ritesh Kumar S/O Late. Raghu Ram another accused Sujit Kumar was apprehended with one motor cycle from his possession total 9.164 Kg Ganja and total 101.57 Gram Smack were recovered from Sujit Kumar. It is further alleged that wet substance has been recovered from the house of Ritesh Kumar S/O Late. Raghu Ram was smack and weight of said smack was total 8.07 Gram Smack. It is further alleged that in course of inquiry apprehended person Ritesh Kumar S/O Late. Raghu Ram told that Sujit Kumar, Ritesh Hadhi, Jalaj Kumar, Ritesh Kumar, Umesh Mahto @ Dhallu and other accused person altogether do business of illegal Smack and Ganja and are distributed amongst all of them.

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 is quite innocent and he has committed no offence at all and he has falsely been implicated in this case. He has further submitted that nothing has been recovered from the possession of petitioner as alleged in the F.I.R. i.e. seized money and mobile are of the petitioner. He has further submitted that there is no independent witnesses have cited in the seizure list. Accused-petitioner is in custody since 10.01.2026. Accordingly, prayer has been made to allow the bail petition.

Per Contra Ld. Spl.P.P. has submitted that from the possession of accused-petitioner three country-made pistols two live cartridges along with some contraband articles have been recovered. Accordingly, it has been prayed to reject the bail petition.

Heard both the parties and perused the case record. From perusal of the case record it is evident that from possession of accused/petitioner three country-made pistol and two live cartridges have been recovered. Further witnesses of the case diary have fully supported the case of prosecution. Further, since three country-made pistol and two live cartridges have been recovered from the house of

COURT OF ADDL. SESSIONS JUDGE-II, -KATIHAR
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accused-petitioner so it prima facie appears that accused-petitioner is involved in the illegal business of arms as well as other contraband articles.

So, having consideration the above facts and circumstances of this case as well as gravity of this case and submission of the Ld. A.P.P. appearing for the state, I am not inclined to enlarge the above named accused petitioner on the bail at this stage. Accordingly, bail petition filed on behalf of the accused namely Ritesh Kumar, is hereby rejected.

A.S.J.-II
Katihar