

Court of District & Additional Sessions Judge I, Jhanjharpur
B.P. No- 310/2026
(Andhrathari P.S Case No- 65/2026)
Shambhu Kumar Mukhiya Vs. State of Bihar
U/s-25 (1-B) (a), 26 of the Arms Act.
Pending in the Court of Ld. ACJM-II, Jhanjharpur.

S.N	Date of order	Order with signature	Office notes as to action taken
1	2	3	4
	16.06.2026	1. This regular bail petition has been filed on behalf of accused namely Shambhu Kumar Mukhiya, who is under custody since 05.05.2026, in connection with Andhrathari P.S Case No- 65/2026, U/s-25 (1-B) (a), 26 of the Arms Act. 2. Heard Miss. Sunita Kumari, Ld. Advocate on behalf of petitioner and Sri Indrakant Prasad, learned APP for the state. 3. Ld. counsel of the petitioner Miss. Sunita Kumari has submitted that earlier no other bail petition either before this Court of before Hon'ble High Court has been filed and petitioner has no any criminal antecedent. It is further submitted that petitioner is quite innocent and has not committed any offence and prosecution story is totally false and fabricated and nothing has been recovered from the possession of the petitioner. It is also submitted that petitioner has falsely been implicated in this false case and no case is made out against the petitioner in aforesaid sections. Lastly, it is submitted that petitioner is under custody since 05.05.2026, Ld. Counsel prayed to enlarge the petitioner on bail. 4. The learned APP Sri Indrakant Prasad opposed the petition and prayed to reject it. 5. The prosecution case in short is that the informant of this case is Ram Prasad Paswan, he has alleged that on 04.05.2026 at 14:45, four accused persons came on two motorcycles, when the informant was sitting at his shop then informant saw that one accused person having weapon in his	
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16.06.2026	waist, then he called the persons who were present at surrounding and snatched the arms for the purpose of safety but in course of that two accused persons fled away and rest two accused persons namely Bhagwanji Chaupal and this petitioner were caught on the spot Hence, this case. 6. Heard both sides at length and perused the case record along with case diary available. From perusal of the record it transpires that, on the basis of written application submitted by informant namely Ram Prasad Paswan, this very case has been registered U/s-25 (1-B) (a), 26 of the Arms Act, against the petitioner and others. From perusal of the record it also transpires that as per allegation on the date and time of occurrence as alleged in the FIR four accused persons came on two motorcycles, when the informant was sitting at his shop then informant saw that one accused person having weapon in his waist, then he called the persons who were present at surrounding and snatched the arms for the purpose of safety but in course of that two accused persons fled away and rest two accused persons namely Bhagwanji Chaupal and this petitioner were caught on the spot. From perusal of the entire FIR as well as the case diary received it is not clear to whom possession, country made pistol was recovered. Apart from that from perusal of the case diary it also transpires that petitioner has no any criminal antecedent and still under custody since 05.05.2026 for more than one month. 7. Therefore, considering the aforesaid facts as discussed above, as well as petitioner is still under custody since 05.05.2026 for more than one
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month having clean antecedent, I am inclined to enlarge the petitioner, namely **Shambhu Kumar Mukhiya**, on bail, on furnishing bail bond of Rs. 10,000/-with two sureties of the like amount to the satisfaction of Ld. Court below with following conditions;

I. That petitioner will co-operate in investigation and he make himself available whenever it is required by the IO.

II. That the petitioner will attend the Court as per the bond conditions and petitioner will not commit the similar offence or offences in future.

III. That the petitioner will not threaten, induce or promise any person acquainted with the facts of the case and will not hamper or tamper with the witnesses.

IV. An undertaking to follow the conditions as above be given on behalf of petitioner accused along with bail bond, in case of violation and breach of the conditions, the prosecution will be at liberty to move for cancellation of his bail bond.

Dictated and Corrected

Sd/-

(Sushil Kumar Dixit)
Addl. Sessions Judge-Ist
Jhanjharpur.

Memo NO..... Date.....

Copy of order be forwarded to the Court of **Ld. ACJM-II, Jhanjharpur** for information and needful.

(Sushil Kumar Dixit)
Addl. Sessions Judge-Ist
Jhanjharpur.

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