

In the Court of Sessions Judge, Madhepura.

B.P. No. 183/2026

(Arising out of Madhepura P.S. Case No. 1168 of 2025)

1. Brajesh Kumar S/o Ganesh Rishideo,
Resident of village – Bhairiopatti, Ward No. 11, P.S. - Murliganj, District –
Madhepura and
2. Sajan Kumar alias Sajo Ram S/o Palat Ram alias Gholat Ram,
Resident of village – Bahiopatti, Ward No. 11, P.S. - Murliganj, District –
Madhepura.

Versus

The State of Bihar

.....Petitioners.
.....Opposite Party.

03.

12.03.2026

ORDER

This application for regular bail filed under Section 483 of the BNSS on behalf of the petitioners – Brajesh Kumar and Sajan Kumar alias Sajo Ram, who are in judicial custody since 05.12.2025 and 18.12.2025 respectively in connection with Madhepura P.S. Case No. 1168 of 2025 u/ss. 25 (1-B)a, 26 & 35 of the Arms Act, is pressed today for hearing.

Heard Sri Chandra Kant Jha, learned counsel appearing on behalf of the petitioners and Sri Bibeka Kumar Singh, learned P.P. on behalf of the State of Bihar.

It is alleged in the First Information Report by the informant S.I. of Police Javed Eqbal of Bharrahi Police Station that on 04.12.2025 at about 18:30 hours when the informant along with armed forces was checking the vehicles near Belha Ghat bridge then the informant saw that two persons riding on a motor-cycle was coming from Tulsibari village very rashly and on seeing the police checking they started to flee away towards back side by turning the motor-cycle. The informant chased them and the driver of the motorcycle was caught hold by the informant and the pillion rider succeeded in fleeing away. On interrogation, the apprehended person disclosed his name as Brajesh Kumar (petitioner No. 1) and he also disclosed the name of the person, who fled away, as Sajan Ram (petitioner No. 2). It is further alleged that during search of the body of the apprehended petitioner Brajesh Kumar in presence of two witnesses then one court made iron-made Katta loaded with a live cartridge was recovered from the waist of the petitioner Brajesh Kumar and when the informant demanded valid document regarding possession of fire arms and live cartridge, the petitioner Brajesh Kumar did not produce any document. The petitioner Brajesh Kumar confessed before the police that he along with the petitioner Sajan Ram does work of snatching mobile and money from the passers-by by showing fear of fire arms. Accordingly, seizure-list of the seized fire arms, country made katta and the motor-cycle duly signed by both the witnesses was prepared and the copy of the seizure-list was served to the petitioner Brajesh Kumar. The petitioner Brajesh Kumar was arrested by the police and he along with the seized materials was brought to the police station.

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Learned counsel appearing on behalf of the petitioners submitted that both the petitioners are innocent and they have not committed any offence as alleged in the F.I.R. The petitioners have falsely been implicated in this case due to dirty village party politics and grudge. Nothing incriminating articles have been recovered from the possession of these petitioners and the petitioners were arrested by the police merely on suspicion. There is no eye-witness to the alleged occurrence. The petitioners have got no any criminal antecedent. The petitioner No. 1 is in custody since 05.12.2025 and the petitioner No. 2 surrendered before the learned lower court on 18.12.2025 and since then he is in custody. Hence, it is prayed on behalf of the petitioners for taking lenient view in granting regular bail to these petitioners.

The learned P.P. appearing on behalf of the State of Bihar opposed the prayer for regular bail of the petitioners.

Perused the lower court's case record coupled with the case diary. It appears that the petitioners are named in the F.I.R. As per paragraph – 68 of the case diary it appears that after complete investigation of the case, the charge-sheet has already been submitted against both the above named petitioners for the offence under sections 25 (1-b) a, 26 and 35 of the Arms Act vide charge-sheet No. 55 of 2026 dated 30.01.2026. The petitioner No. 1 is in judicial custody since 05.12.2025 and the petitioner No. 2 is in judicial custody since 18.12.2025.

Considering the above facts, circumstances of the case as well as considering the period of detention of the petitioner No. 1 in judicial custody since 05.12.2025 and the petitioner No. 2 in judicial custody since 18.12.2025, both the petitioners, namely, Brajesh Kumar and Sajan Kumar alias Sajo Ram are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of like amount each to the satisfaction of the learned lower court in connection with Madhepura P.S. Case No. 1168 of 2025 with conditions that (1) one of the bailors shall be a close relative of both the petitioners, (2) both the petitioners shall not be indulged again in similar nature of offence in future and if they are found to be indulged again in similar nature of offence, their bail bonds shall be cancelled automatically and (3) both the petitioners shall remain appear physically before the trial court on each and every date during trial of the case and if he failed to do so on two consecutive dates, their bail bonds shall be cancelled automatically. **The bail bond of both the above named petitioners will be filed and accepted after framing of the charge against them in the present case.**

Dictated


(Balram Dubey)

Sessions Judge, Madhepura.