

In the Court of Sessions Judge, Madhepura.
B.P. No. 268/2026

(Arising out of Ratwara P.S. Case No. 53/2025).
1. Abhishek Kumar S/o Mahesh Bhagat.

Resident of Village-Sonamukhi Bazar, P.S.-Ratwara, District-
Madhepura.....Petitioner.

V.

The State of Bihar.....O.P.

05/

18.04.2026

Petition for regular bail filed on behalf of above named petitioner, who is in jail custody since-15.10.2025 in connection with Ratwara P.S. Case No. 53/2025 U/Ss. 25(1-B)a, 26, 35 of Arms Act, pressed today for hearing.

Heard Sri Gajendra Prasad Yadav, learned lawyer for the petitioner and Sri Bibeka Kumar Singh, learned P.P. for the State.

According to prosecution case, on 14.10.2025, the informant,

who was officer-in-charge of Ratwara police station got confidential information that one Abhishek Kumar, who is an accused in connection with Ratwara P.S. Case No. 52/2025 hid himself in the 'hut' of Kulo Singh's Basa situated in Ward No. 04, Kachahri Toila, Gangapur. At about 21:05 hours, when the informant along with police personnels proceeded to the place, a person on seeing the police attempted to flee by coming out from said 'hut' but was caught hold of him. The apprehended person disclosed his name as Abhishek Kumar (petitioner), and subsequently, one country-made pistol recovered from his possession. On being asked, he did not produce any valid papers of recovered Arms nor gave any satisfactory answer about the same. Accordingly, the petitioner Abhishek Kumar was arrested and the seizure-list of seized country-made pistol was prepared.

Learned lawyer appearing on behalf of petitioner submitted that

the petitioner is innocent and he has falsely been implicated in the present case at the instance of his enemy in collusion with the local police. He is languishing in jail since-15.10.2025, and he has sufficiently been punished for

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the allegation levelled against him.

On the other hand, Learned Public Prosecutor strongly opposed the prayer for regular bail of petitioner.

Perused the record, including the case diary. Para-12 of case diary

shows seizure-list of one country-made pistol, which was recovered from the conscious possession of this petitioner. On perusal of case diary, it appears that the informant in his re-statement in para-2 has supported the case of prosecution. Apart from this, the witnesses examined in para-3, 4 & 5 have also supported the prosecution case. Vide para-19, it appears that in course of supervision by Dy. S.P., Udakishunganj, the allegation against the petitioner Abhishek Kumar for the offence U/Ss. 25(1-B)a, 26, 35 of Arms Act has been found true. The recovered country-made pistol has been found effective, which is evident from para-22 of case diary. Vide para-27 of case diary, it appears that the petitioner has got criminal antecedent in which one criminal case vide Ratwara P.S. Case No. 52/2025 U/Ss. 103(1), 308(5), 3(5) of B.N.S. has been shown against him. It also appears that the charge-sheet has been submitted by the police against him in the case finding the case true U/Ss. 25(1-B)a, 26, 35

of Arms Act.

Considering the nature and seriousness of the allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, bail petition filed on behalf of above named petitioner stands rejected.

Dictated

Balram Dubey
(Balram Dubey),
Sessions Judge,
Madhepura.