

In the court of Additional sessions Judge-II

A.B.P. No – 2230 of 2026.

(Arising out of Ram Krishna Nagar PS Case no – 467 of 2026.)

Shubham Kumar Petitioners

Vs.

The State of Bihar..... Opposite party

Sr. No.	Date	Order with signature of the Court	Office Action/s taken with Date
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01.07.26

An anticipatory bail petition filed on behalf of accused **Shubham Kumar, aged about 20 years, S/o Shri Jimdar Singh/ R/o Bansantpur, PS- Jandaha, Dist.- Vaishali** in connection with Ram Krishna Nagar P.S. case no – 467 of 2026 for the offence U/S 25(1-b)(a), 26(1) and 35 of the Arms Act.

Heard the learned counsel for the petitioners as well as the learned Addl. P.P. for the state and perused the case-diary.

The prosecution case as per written application of the informant ASI Sentu Kumar Pandit, in brief, is that on 11.05.2026 at about 12:30 PM during a vehicle check based on secret information, the police intercepted a person riding a Apache Motorcycle bearing number BR01JR8422. When searched, the police recovered on country made pistol, 3 live cartridges and a light green android mobile phone from the possession of accused Raviraj Kumar. The accused confessed that he along with his friends Animesh and Subham Patel works for a gang leader named Ashik @ Chote Sarkar. He further stated that they procure firearms from Hiajipur and distribute/sell the fire arms in Patna on the instructions of their gang head. After discharging his duty the informant gave his written application to the SHO, Ram Krishana Nagar, Patna. Accordingly, Production Cum seizure-list was prepared thereof.

Learned counsel appearing on behalf of the petitioners has submitted that the petitioner was neither arrest on spot nor any incriminating articles were recovered from the possession of the petitioner. His name came on the surface on the basis of statements of the co-accused Ravi Raj Kumar. Ld. Counsel further contended that the whole prosecution story is being is quite false, fabricated and concocted and from perusal of FIR and seizure list it appears the incriminating articles were recovered from the possession of co-accused Ravi Raj Kumar, so the alleged section is not applicable against the petitioner. There is no connection of the petitioner from co-accused. Petitioner is quite innocent and he has not committed any offence at all, he

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has falsely been implicated in this case. The petitioner has got no criminal antecedent. Hence the petitioners deserve to be released on anticipatory bail.

On the other hand learned Addl. P.P. opposed the prayer for bail of the petitioner contending that investigation against the petitioner is still continuing.

Heard both sides, perused the record, case-diary and other materials available on the record. It transpires that petitioner is not named in the FIR his name surfaced in this case on the basis of confessional statement of co-accused Ravi Raj Kumar and on perusal of the case diary transpired that in para 6, 7, 8, 9 and 10 of the case diary statement of the informant and witness have been recorded by the IO during the investigation. In which they reiterated the contention of the informant as made by him in his written report. There is no other evidence is in case diary against the petitioner except the above statement of the witnesses. Nothing incriminating article has been recovered from the possession of the petitioner. The petitioners has got no criminal antecedent as per bail petition para 3.

Having considered the above facts and circumstances as well as the material available in the case diary and also seeing the nature of allegations as well as in the view of the argument advanced by the learned counsel for petitioner I am inclined to enlarge the petitioner on anticipatory bail. In event of arrest or surrender of the petitioner within six weeks from the date of receipt the copy of order, let the petitioner as above noted be enlarged on bail on furnishing bail bond of Rs. 10,000/ with two sureties like amount to the satisfaction of Shri Subhash Chandra Nishar, Ld. JMFC, Patna under subject to the condition as laid down under section 482(2) of B.N.S.S. 2023.

Dictated,

Sd/-

Addl. Sessions Judge-II, Patna.

01.07.2026.

Date of Judgment/Order	01-07-2026
Date of Reserving Judgment/Order	01-07-2026
Uploading Date	01-07-2026
Uploaded by	Niranjan Kumar Ojha