

In the Court of Addl. Sessions Judge-II, Danapur.

(Present :- Kshiprachala Anjalee, Addl. Sessions Judge-II, Danapur.)

B.P. No. 738 of 2026.

(Arising out of Danapur P.S. Case No. 377 of 2026).

Anup Bharti, son of Chandrika Bharti, Resident of Ghurghat Ke Mathiya, Police Station- Siswan, District-Siwan Petitioner.

Versus.

The State of Bihar. Opp.Party.

Learned counsel for the petitioner :- Sri Ghanshyam Tiwary, (Advocate)

Learned counsel for the State :- Sri Ramkeshwar Prasad, (Addl. P.P.)

O r d e r.

02-07-2026. This Regular Bail Petition has been filed on behalf of the above-named petitioner, who is in Judicial custody since 04-04-2026 in connection with Danapur P.S. Case No. 377 of 2026 registered under Sections 25(1-B)a, 26 and 35 of the Arms Act, pending in the Court of learned A.C.J.M.-I, Danapur.

It is submitted on behalf of the petitioner that earlier no any bail petition has been filed on behalf of the petitioner either for grant of regular or anticipatory bail before this learned court or before the Hon'ble High Court, Patna. It is further submitted that no any other bail petition pending in any other Court and this is first Regular Bail petition on behalf of the aforesaid petitioner. The petitioner has committed no offence and has been falsely implicated in this case. Nothing incriminating article has been recovered from the conscious possession of the petitioner. There is no independent witness of the seizure list. Now charge-sheet has been submitted against the petitioner and there is no chance of tampering of evidence. Other co-accused has been granted bail by this Court vide order dated 08-06-2026. The petitioner is in Judicial custody since 04-04-2026. The petitioner is ready to abide by any condition imposed by this Court and is ready to give sufficient sureties to the satisfaction of the learned Court. Hence, he may be enlarged on bail.

Learned Addl. P.P. opposed the prayer of bail of the petitioner.

As per F.I.R., the informant P.S.I. Shrawan Kumar, of Danapur Police Station, Patna, stated that he is the I.O. of Danapur P.S. Case No. 373 of 2026 dated 31-03-2026 registered under Sections 309(6) of the B.N.S. It is alleged that for the further investigation and successful breakthrough of the case, a special team was formed under the leadership of S.I. cum S. Prashant Bhradwaj, Dapapur Police Station, Patna. In this team he was also one of the members along with others. To arrest the

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unidentified criminal involved and recover the looted jewelry, the members of the formed team departed from the Police Station on 02-04-2025 at 10.30 A.M. During this process , through technical and human surveillance, as well as reliable sources, it was learnt that the main criminals involved in this case are from around Mathia Ghurghat, Siwan District. In the light of the received information, the formed team reached Mathia in Ghurghat, Siwan, and conducted a raid. During the raid, one individual involved in the crime was apprehended, who disclosed his name as Anup Bharti. In his confessional Statement, the accused stated that this crime was jointly committed by him and his associates Aman, Prince, Aham Khan and Rohit Kumar using weapons. Based on the facts revealed in the confessional statement, the members of the formed team reached the rented house of Anup Bharti, located at Kharanja road and conducted a formal raid. During the raid, two individuals attempted to flee from the house of Anup Bharti, but were caught with the assistance of the accompanying Police team, who disclosed his name as Aman Kumar (petitioner) and Prince Kumar. Subsequently in presence of witnesses the arrested persons were searched and from the possession of co-accused Aman Kumar, two empty cartridges and one empty magazine was also recovered. Valid documents regarding the recovered articles were demanded from the said co-accused, but he failed to produce valid documentation. From the possession of the petitioner Anup Bharti, two country made Pistols and one live cartridge and two empty cartridges and one empty magazine kept inside Aman Kumar's blue colored bag, were recovered. Accordingly, seizure list was prepared. Other items including looted jewelry in the incident were also recovered for which separate seizure list was prepared under Danapur P.S. Case No. 373 of 2026. On interrogation the co-accused and others confessed their guilt. Subsequently, the petitioner and others were arrested and information was given to their family members. On the basis of the written report of the informant, the F.I.R. was registered

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against the petitioner and others under Sections 25(1-B)a, 26 and 35 of the Arms Act.

It is submitted and disclosed on behalf of the petitioner that he is also accused in connection with (1) Danapur P.S. Case No. 373 of 2026 dated 31-03-2026 registered under Sections 309(6) of the B.N.S. and except the aforesaid, the petitioner has clean antecedent, which is also mentioned in paragraph no. 43 of the case diary.

Perused the record and the case diary. On perusal of the entire record, it appears that F.I.R. was registered under Sections 25(1-B)a, 26 and 35 of the Arms Act with allegation that illegal Arms and ammunitions were recovered from his possession. Seizure list is there on record. Police after investigation of the case submitted charge-sheet against the petitioner and now there is no chance of tampering of evidence. Other co-accused has been granted bail by this Court vide order dated 08-06-2026. The petitioner is in custody since 04-04-2026.

Having considered aforesaid including the facts and circumstances of the case, period of custody of the petitioner and the nature of allegation alleged against the petitioner, let the above-named petitioner **Anup Bharti** be released on bail, on furnishing bail bond of Rs. 10,000/-with two sureties of like amount each to the satisfaction of learned Court concerned, subject to the conditions that (1) One of the bailors must be the close relative of the petitioner (2) The petitioner shall file undertaking/affidavit that he should not commit similar offence in future. (3) If at any stage of the case it is revealed to the court concerned that the petitioner has concealed his criminal antecedent to obtain bail, his bail bond shall be cancelled by the court concerned and (4) The petitioner shall fully cooperate in the investigation/trial of the case and shall be **physically present on each and every date till framing of charge**, before the trial court.

(Dictated)

Sd/

(Kshiprachala Anjalee)

Addl. Sessions Judge-II, Danapur.