

IN THE COURT OF 2<sup>nd</sup> DISTRICT & ADDL. SESSIONS JUDGE, PURNEA

Bail Petition No - 182/26

CIS No - 182/26

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Arising out of Kasba P.S Case No - 38/2026

U/s - 25(1-b),a,26 of Arms Act.

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1. Manish Kumar, aged 24 yrs, S/o- Late Pravesh Singh,  
R/o Garhbanaili Simaria, ward no. 02, P.S - Kasba, District- Purnea, Bihar.

....Petitioner

Versus

State of Bihar

..... O.P

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**Appearance:**

For the prosecution : Sri Rahul Raja, Ld. Addl. P.P.

For the petitioner : Sri Kanhaiya Singh, Ld. Advocate.

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**Dated :-13-03-2026**

**Custody:-28-01-2026**

**Present :- Deshmukh**

**District & Addl. Sessions Judge-2<sup>nd</sup>, Purnea.**

**O R D E R**

1. A Bail petition, dated 18.02.2026, supported with affidavit, with respect to Kasba P.S Case No - 38/2026, had been filed on behalf of the above named petitioner for alleged offences U/s- 25(1-b),a,26 of Arms Act. A copy of petition was also served upon to ld. Adl.P.P. Heard Sri Kanhaiya Singh, learned counsel appearing on behalf of the petitioner, as well as Sri Rahul Raja, Ld. Addl. P.P. for the State.

2. Brief of the prosecution case, as per the F.I.R is that, on receiving a secret information on 28.01.2026, around 09:35 AM, that a person standing in front of chappal shop of Md. Daud in Garhbanaili bazaar with a pistol in his waist, the informant then proceeded there and apprehended the alleged person who tried to flee away after seeing the police personnel. Upon enquiry he stated his name as Manish Kumar. Taking two police personnel as independent witness, search was conducted. Upon search, a country made pistol with empty magazine was recovered. No relevant document was produced in support of seized contraband. Seizure list was prepared and F.I.R was lodged accordingly.

3. Ld. Counsel on behalf of the petitioner submitted that the petitioner is innocent and committed no offence. The petitioner should have been given benefit of section 35 of the BNSS. There is no chance of tempering of evidence at the hands of the petitioner. The petitioner have his house and hearth and there is no chance of his absconding. The applicant undertakes to cooperate in investigation. Petitioner is in judicial custody since 28-01-2026. Hence, let the petitioner be granted bail.

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4. Ld. A.P.P opposed the prayer of bail.
5. Heard the rival submissions and perused. As per para 1 and 2 of Case Diary, petitioner is the sole accused and the alleged contraband ie. to say the arm(country made pistol) is recovered from his conscious physical possession. Investigation is still pending. The chances of tampering the evidence/witnesses can not be ruled out. Under the facts and circumstances of case and viewing the gravity and nature of the offence, the Court is not inclined to enlarge the petitioner on bail. Hence, the prayer of bail of the petitioner is hereby **rejected**.
6. Copy of the order be sent to the concerned Court of Ld.C.J.M, Purnea.

Dictated

Sd/-

(Deshmukh)

D.A.S.J-II<sup>nd</sup>, Purnea.