

IN THE COURT OF 01st DISTRICT & ADDL. SESSIONS JUDGE
ROHTAS AT SASARAM
BAIL PETITION NO. 136 of 2026
Arising out of Tilauthu P.S. Case No. 209 of 2025
Under Section 25(1-B)(a), 26, 35 of Arms Act, 1959.

IN THE MATTER OF:-

Daroga Kumar , Aged about 21 years

S/o- Mithlesh Paswan

R/o- Village – Bishaini Khurd, P.S.- Nokha, District- Rohtas

..... Petitioner.

Versus

The State of Bihar

.....Opposite Party.

For the Petitioner : Mr. Umakant Singh, Ld. Advocate.

For the O. P. (State) : Mr. Upendra Kumar, Ld. P.P.

ORDER

26.03.2026 This regular bail application has been preferred on behalf of the above noted accused in custody since 02.08.2025 pertaining to in connection with **Tilauthu P.S. Case No. 209 of 2025** for the offence under section 25(1-B)(a), 26, 35 of Arms Act, 1959. The parties have already been heard. The order follows:-

The learned counsel appearing for the accused/petitioner by reading out the contents of the F.I.R. has submitted that the petitioner is quite innocent and has committed no offence and petitioner is named accused in the F.I.R. and the petitioner has got four criminal antecedents. He further added that the whole case of prosecution is maliciously false, concocted and contrary to actual facts and no occurrence took place in the manner and circumstances as alleged by the prosecution and actually this petitioner was going towards his house and the police stopped him and some scuffle arise between the petitioner and the police stopped him and some scuffle arise between this petitioner and the police falsely shown that the katta has been recovered from this petitioner and there is no cogent, reliable and probative evidence against this petitioner to connect this crime and the petitioner has been victimized by the police and actually nothing has been recovered from the possession of this petitioner and the petitioner is a student and his life is being ruined in jail custody. He further added that section 25(1-B)(a), 26, 35 of Arms Act will not be applicable against this petitioner because no katta has been recovered from this petitioner and these days common tendency has been developed in the police personnel to implicate innocent person in this type of cases and the police arrested one accused in one case and remanded many cases of similar nature or other nature. He further submitted that petitioner is a man of family and farm, so there is no question of absconding and is ready to furnish bail bond to the satisfaction of this Id. Court and prayed to enlarge the petitioner on regular bail.

Per contra, the Ld. P.P appearing for the State has opposed the prayer for regular bail submitting that the allegation is direct against the accused /petitioner and is serious in nature. Hence, prayed to reject it.

Heard the Id. Counsel for the applicant/accused and the Id. P.P. It appears from the record that the petitioner is arrayed in F.I.R. for having possession of arms that is country made pistol and it has been found effective during the course of investigation but the country made pistol as such was loaded or not is not contained either in the F.I.R. or

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Continued...

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would be found by the Investigating Officer during the course of investigation. The petitioner is lying in jail since last more than eight months as the Id. Counsel for the applicant by filling the copies of the F.I.R. shown to be pending against the accused as per- 72 of the case diary that all the case lodged against unknown and the name of the petitioner had been arrayed arbitrarily by the investigating officer, after his arrest in this case in august, 2025 it appears to be considerable and as a warning chance, the prayer for regular bail is allowed on furnishing bail bonds worth of Rs. 10,000/- with two sureties each of the like amount, to the satisfaction of the Court in seisin of original records, with further condition to be under taken by the petitioner, at the time of furnishing bail bonds as enshrined under section 480 (3) of the B.N.S.S., 2023. **Accordingly, the prayer for regular bail is allowed.**

(Dictated)

(Illegible)

(Pankaj Mishra)

1st District & Additional Sessions Judge,
Rohtas at Sasaram
26.03.2026

Date of judgement/order	26.03.2026
Date of reserving judgment/order	26.03.2026
Uploading date	30.03.2026
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