

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 19th March, 2026

Present:- Dinesh Sharma, Principal District & Session Judge, Saharsa

B.A. No. 130/2026 (Arising out of Saharsa P.S. Case No. 17/2026)

Rounak Kumar

..... Petitioner Vs State of Bihar

In the matter of :-

1. Rounak Kumar S/o Mithilesh Sharma

Resident of Krishna Nagar, Ward No. 22/37, P.S. and

District Saharsa

.....Petitioner

Vs

State of Bihar

.....Opposite Party

Appearance :-

For the Petitioner :- Smt. Sangeeta Singh, Advocate

For the State :- Sri Krishna Murari Prasad, Ld. P.P.

Date of proceeding	Order with the signature of the court	Office action taken with date
19.03.2026	This bail petition has been filed on behalf of the petitioner namely Rounak Kumar son of Mithilesh Sharma who is in custody since 07.01.2026 in connection with Saharsa P.S. Case No. 17/2026 registered under Sections 25(1-B)a, 26, 35 of the Arms Act. 2. Heard the arguments of the learned counsel for the petitioner and the learned P.P. for the State. 3. It is submitted by the learned counsel for the accused petitioner that petitioner is in custody since 07.01.2026. It is further submitted that no arms or ammunition has been recovered from the conscious possession of this petitioner and it is further submission of the learned counsel that similarly placed co-accused Santosh Soni @ Tantan has already been granted bail by the learned Predecessor vide order dated 18.02.2026 passed in R.B.A. No. 64/2026. The petitioner bears no criminal antecedent. The learned counsel submits that in the facts and circumstances the petitioner is also entitled for bail. 4. On the other hand, the learned P.P. has opposed the prayer of bail however the Ld. P.P. fairly submitted that the case of this petitioner is similar in nature to the case of accused Santosh Soni @ Tantan. The Ld. P.P. submits that the recovery were in the joint possession of this petitioner and co-accused persons. 5. Rival submissions considered, Record perused. 6. The prosecution case, in brief, is that as per the typed report of informant P.S.I. Subodh Kumar is that on 06.01.2026 when he was at Kahra Kutti then at about 21:55 O'clock he received secret information that three persons with weapons assembled in front of the shop of Arun	

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Kumar Mandal for committing major incident. He informed about the said information to his senior officer and he instructed P.S.I. Baleshwar Kumar, P.S.I. Jitendra Kumar, P.S.I. Sanoj Verma about reaching at Krishna Nagar for necessary action then after sometime Baleshwar Kumar, Jitendra Kumar, Sanoj Kumar reached there. Thereafter forming a raiding party, he alongwith the armed force reached near Domanlal School at about 22:05 O'clock and when they reached Balai Road in front of the general store of Arun Kumar Mandal in Krishnanagar Ward No. 37 saw the police vehicle, the accused persons afraid and tried to fled away from there but with the help of armed force they were apprehended. Some peoples of nearby assembled there in which two of them namely Arun Kumar Mandal and Sujit Kumar were made as independent witnesses and the apprehended disclosed their names as Ronak Kumar, Santosh soni @ Tantan and Roushan Kumar. Both the independent witnesses and armed force searched together thereafter searched the accused persons a countrymade pistol made of iron was found tucked in the black coloured jeans pant on the right side of Raunak Kumar's waist, the butt of which was wooden on both sides. When its magazine was taken out and examined one bullet was found in the magazine and when the said countrymade pistol made of iron and one bullet was found in chamber. The length of the butt of the said countrymade pistol made of iron was about five fingers, the length of the body was about four fingers and the length of the barrel was about five fingers, thus the total length of the said countrymade pistol made of iron, on the bottom of which 7.65 KF was mentioned. Under his instruction Baleshwar Kumar duly prepared a seizure list and seized the items. Both the witnesses put their signatures upon it and a copy of seizure list was handed over to the accused persons. Thereafter he duly searched the two apprehended persons namely Santosh Soni @ Tantan and Roshan Kumar and found no items other than the clothes they were wearing. When he asked for the valid document for the recovered countrymade pistol the accused persons not produced any document or valid paper. Raunak Kumar stated that the said pistol belongs to Santosh Soni @ Tantan who had given it to him to keep. Thereafter prepared arrest memo and the apprehended persons were arrested and the arrested persons alongwith seized item brought to Police Station. Hence the case registered.



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7. The petitioner and co-accused are named in FIR. The petitioner is in custody since 07.01.2026 with clean past criminal antecedent. Charge-sheet has already been submitted in this case and almost all the witnesses are police officials therefore there is no chance of ~~coercing~~ ^{the witnesses are} the witnesses. It is informed to the court that petitioner is having clean past and similarly situated co-accused has been granted bail by the predecessor court in R.B.A. No. 64/2026 vide order dated 18.02.2026.

8. Considering the totality of the facts and circumstances a case to grant bail to the petitioner is made out. Resultantly the prayer for bail is **allowed**. The petitioner be released on bail subject to his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties in the like amount to the satisfaction of the learned Magistrate where the case is presently pending further subject to the conditions as laid down under Section 480(3) of the BNSS.

(Dictated)

Dinesh Sharma

(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

19.03.2026

Date of Judgement/Order	19.03.2026
Date of Reserving Judgement/Order	19.03.2026
Uploading Date	28-03-26
Uploaded by	Javed Haider