In the Court of **Puneet Kumar Garg**, Sessions Judge, Saran at Chapra

Bail Petition No. 408 of 2026 (Janta Bazar P.S. Case No. 07/2026)

Biru Kumar **V/s** State of Bihar

ORDER

S.No.	Date	Contents	Remarks
01	**15.04.2026**	**1.** Heard learned counsel representing the petitioner-accused as well as learned Public Prosecutor representing the State on bail petition of petitioner-accused, namely, ***Biru Kumar,*** who has been in custody since 15.01.2026 in this Janta Bazar P.S. Case No. 07/2026, registered under Sections 25(1-b)a, 26 and 35 of Arms Act, pending in the Court of *Smt. Atulya Stuti*, learned JMFC, Saran at Chapra. **2.** FIR of this case has been registered on the basis of a written application of the informant, namely, *Pappu Kumar Jha, S.I.* of *Janta Bazar P.S.* stating that on 13.01.2026, he along with other police personnel were on night patrolling duty. At about 02:40 A.M., some suspicious persons boarded on two motorcycle tried to flee away leaving their motorcycle, but two of them, namely, *Ankush Kumar* and ***Biru Kumar*** were arrested and others were managed to flee away. On search of the arrested persons, illegal country-made katta, live cartridge and dagger-wee recovered from the apprehended accused persons. A motorcycle was also seized from there. A seizure list was prepared and a copy of which has also been handed over to the accused persons. **3.** Learned counsel appearing on behalf of the petitioner-accused submitted that he is quite innocent, has not committed any offence as alleged in the F.I.R. and has falsely been implicated in this case due to ulterior motive of the police. Next asserted that earlier no ABP or regular bail has been filed on behalf of the petitioner-accused in this Court or Hon'ble High Court, Patna in connection with the present case and he got clean antecedent except this one. The petitioner-accused has been in custody since 15.01.2026. Further contended that nothing has been recovered from the possession of the petitioner-accused. Next added that the police wanted the signature of the petitioner-accused on the seizure list as a witness, but he refused due to which the police has made him accused in this case. Next argued that the co-accused of this case has already been enlarged on bail by this Court *vide* order dated 13.03.2026 passed in BP No. 164/2026, and the case of this petitioner-accused stands on similar footing. Further submitted that the petitioner-accused is ready to furnish sureties as required by the Court. Therefore, it is prayed that the petitioner-accused may be enlarged on Bail. **4.** On the other hand, learned Public Prosecutor representing the State vehemently opposed the prayer for bail of the petitioner-accused. **5.** Heard both the sides and perused the materials available on record. From the same, it appears that the co-accused of this	

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		case has already been enlarged on bail by this Court *vide* order dated 13.03.2026 passed in BP No. 164/2026. Furthermore, the petitioner-accused has got clean antecedent except this case, and he has been in judicial custody since 15.01.2026. **6.** So, considering the above facts and circumstances of the case, period of custody undergone by the petitioner-accused, absence of criminal antecedent, and the earlier bail granted to the co-accused of this case, and the reasons mentioned herein-above, **I** think it proper to release the petitioner-accused on bail and thereby this **Bail Petition**, bearing **No. 408 of 2026,** is hereby **allowed**. **7.** Accordingly, the petitioner-accused herein, namely, ***Biru Kumar,*** is ordered to be **released** on bail on furnishing bail bond of **Rs. 50,000/-** <u>with two sureties</u> of the like amount each to the satisfaction of the learned Court concerned subject to the condition laid down u/s 480(3) of B.N.S.S. :- **(I)** That the petitioner shall make himself available for interrogation by I.O. as and when required, **(II)** That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to the I.O. of the case, **(III)** That the petitioner shall not leave India without the previous permission of the Court, **(IV)** That the petitioner is directed to co-operate in trial and disposal of the case. **(V) That the <u>Bailors</u> must be the <u>Parents</u> of the petitioner-accused.** [Dictated] **(Puneet Kumar Garg)**, Sessions Judge, Saran 15.04.2026	