

In the Court of the District & Addl. Sessions Judge I, Sitamarhi.

Bail Petition No. 255/2026

255/2026

Subodh Kumar,..... Petitioner.

Versus

State of Bihar O.P.

Page No.-1

ORDER

26.03.2026

1 Heard the learned counsel, for the petitioner, **Subodh Kumar**, who is in judicial custody since 07.12.2025 in connection with Bathnaha P.S. Case No. 583/2025 registered under Sections 25(1-B), 26,35 Arms Act. Also heard the learned Addl. P.P. for the State and perused the record.

2. Prosecution Story- Sub-Inspector Aarti, posted at Bathnaha Police Station, Sitamarhi, stated that on 07.12.2025 at about 18:00 hrs, while on duty at ERB-2 Mahuva along with MC-162 Neha Kumari and Chowdhary Surendra Rai, she received information from the SHO that some suspicious boys were sitting on a bridge towards Laxmipur village ahead of the SSB camp. On reaching the spot at about 18:10 hrs, three to four boys attempted to flee on seeing the police vehicle, out of which two boys were chased and apprehended. On inquiry, they disclosed their names as (1) Sunil Kumar Mukhiya, aged about 21 years, and (2) Subodh Kumar, aged about 23 years, both residents of Bathnaha West Ward No. 08, District Sitamarhi. During search, conducted in presence of police personnel as witnesses, one illegal 0.32 bore pistol was recovered from the waist of Sunil Kumar Mukhiya, and one live cartridge (7.65 KF) was recovered from the pocket of Subodh Kumar. The accused persons failed to produce any valid documents regarding the recovered firearm and cartridge. A seizure list was prepared on the spot, signatures of witnesses were obtained, and a copy was handed over to the accused persons. Both accused were arrested on charges of possessing illegal arms, and their family members were informed. Therefore, it was requested that an FIR be registered against the above-named accused persons for possession of illegal arms.

3. It is submitted by the learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the petitioner has no previous criminal antecedent and he is a local resident of the address mentioned in the cause title. It is also submitted that the petitioner has been in judicial custody since 07.12.2025 and the alleged recovery has been falsely shown. Learned counsel further submits that the petitioner undertakes to cooperate in the trial and shall abide by any condition imposed by this Court.

4. On the other hand, learned A.P.P. for the State opposed the prayer for bail and submitted that as per the prosecution case, on receiving secret

In the Court of the District & Addl. Sessions Judge I, Sitamarhi.
Bail Petition No. 245/2026

25.3.2026

Subodh Kumar,..... Petitioner.

Versus

State of Bihar O.P.

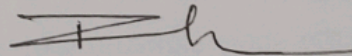
Page No.-2

information, police reached near the bridge on the road leading to Laxmipur village, where some persons were found sitting suspiciously. On seeing the police vehicle, some persons attempted to flee, out of whom two persons including the present petitioner were apprehended. Upon search, a *Khokha* was recovered from the left side of his pant, on the base of *Khokha* 7.65 KF was written. Since the petitioner could not produce any valid document or license for the recovered article, the present case was instituted against him.

5. Considering the submissions made on behalf of the parties, the nature of allegation, period of custody of the petitioner, absence of criminal antecedent, and the facts and circumstances of the case, this Court is of the opinion that the petitioner deserves to be enlarged on bail.

6. Accordingly, the prayer for bail of the petitioner is hereby allowed. That the petitioner **Subodh Kumar**, above named, be released on bail on furnishing bail bond of 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of this Court in connection with Bathnaha P.S. Case No. 583/2025, subject to the following conditions: That the petitioner shall not repeat the same or similar type of offence in future and the petitioner shall abide by the conditions laid down under Section 482(2).

(Dictated & corrected)



(Rajiv Kumar),

District & Addl. Sessions Judge 1,
Sitamarhi.

Dated:- 26.03.2026

P.B No - 193
26/3/26
such a my my
etc etc