

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-IVth, SIWAN

BP. No. 278/2026

Police Station – Goreyakothi PS Case No. - 405/2025

Aslam Ansari Vs. State

Under Section- 317(2),317(5) of the BNS & 25(1-B)(a),26 Arms Act.

ORDER

30.03.2026

The accused has been in judicial custody since **09.01.2026**.

A regular bail petition dated 07.03.2026 has been filed on behalf of custodial accused **Aslam Ansari** in connection with Goreyakothi P.S Case no.- 405/2025 registered u/s 317(2),317(5) of the B.N.S & 25(1-B)(a),26 Arms Act. A copy of which was served upon the ld. P.P.

As per the computerized petition of the informant A.S.I Manish Kumar, at present posted as S.H.O at Goreyakothi P.S, the prosecution case, in short, is that on 15.12.2025 at about 15.30, the informant was accompanied by a police party including BMP 2 personnel Constable 374 Ranveer Yadav, Constable 381 Mukesh Kumar and Constable 318 Vijay Kumar for patrolling and vehicle checking. At about 16.30 P.M., while the team was stationed near Afrad More, they observed a motorcycle approaching from the Siwan side. The vehicle, a Hero Splendor Plus, was conspicuously missing a registration number plate. Upon being signaled to stop by the police, the rider attempted to flee but was intercepted and identified as Aslam Ansari. Despite a crowd gathering, no independent witnesses joined the proceedings, hence, the accompanying police personnels search of the accused led to the recovery of one country made pistol from his waist and two live cartridges from his left pocket. The motorcycle was also seized upon enquiry. Subsequently, the accused/petitioner failed to produce any valid explanations or documents regarding seized weapon and the vehicle. It is further transpired that the firearm was illegal and the vehicle was stolen property.

Sri Balwant Kumar, the Ld. Counsel for the petitioner has submitted that the petitioner is innocent and he has committed no offence. No bail petition either regular or anticipatory has been filed or pressed either before this court or before the Honourable High Court at Patna prior to this bail petition under any provision of law. There are six criminal histories of the petitioner vide 1. Goreyakohit P.S Case No.- 72/2010, 2. Goreyakohit P.S Case No.- 164/2016, 3. Goreyakohit P.S Case No.- 191/2023, 4. Siwan Town P.S. Case No.- 287/2013, 5. Siwan Town P.S. Case No.- 250/2019, 6. Mahadeva P.S. Case No.- 89/2023 in which the petitioner is on bail. The present case has been instituted on the basis of a written application given by the informant of this case namely Umesh Kumar. The petitioner is not named in the FIR and the petitioner was not arrested from the P.O. The petitioner has been falsely implicated in this case at the instance of local enemies. The entire allegation as alleged are imaginary, baseless, concocted, false and absurd. There is no chance of his absconding or tampering with the prosecution evidence. Ld. Counsel for the petitioner has submitted that due

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-IVth, SIWAN

BP. No. 278/2026

Police Station – Goreyakothi PS Case No. - 405/2025

Aslam Ansari Vs. State

Under Section- 317(2),317(5) of the BNS & 25(1-B)(a),26 Arms Act.

to typing mistake in para no.- 04 of the bail petition, the date of judicial custody has been mentioned as 09.01.2026 instead of correct date 16.12.2025. Hence, the Ld. Counsel prays for bail.

On the other hand, Ld. Addl. PP has opposed the prayer for bail.

Having gone through the aforesaid facts and submissions as advanced on behalf of both sides and after perusal of the record, it appears that this case has been registered u/s 317(2),317(5) of the B.N.S & 25(1-B)(a),26 Arms Act against the sole accused/petitioner. There is a specific allegation against the petitioner that while the police team was on patrolling duty, he was spotted on a motorcycle without a registration plate and attempted to flee upon being signaled to stop. After being intercepted, a search of his person led to the recovery of one country made pistol (Desi Katta) was recovered from the left side of his waist and two live cartridges were also recovered from his left side pocket. The said motorcycle was also seized, and upon enquiry, it was found to be stolen property. The petitioner neither gave any satisfactory answer nor produced any papers relating to the seized pistol or the motorcycle. Moreover, there are six criminal antecedents against the petitioner as mentioned in para no.- 12 of the case diary. The chargesheet has already been submitted and cognizance has been taken in the case. The petitioner is in judicial custody since 16.12.2025.

So, considering the facts and circumstances of the case, the nature of the accusation, recovery of an illegal firearm along with live cartridges, a stolen motorcycle and the several criminal antecedents of the petitioner, I am not inclined to enlarge the petitioner on bail at this stage, hence, the prayer of the petitioner for bail is hereby **rejected**.

Dictated

Sd/-

(Monisha Singh)

DASJ-IV, Siwan

30.03.2026