

IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS

JUDGE-X, SIWAN

B.P NO-463 of 2026

Arising out of Nautan P.S. Case No.-111/2026

Aryan Kumar and Ors. Vs. The state of Bihar

Present:-For the petitioners –Sri Om Prakash Singh, Id. Advocate.

For the state- Sri Satyadev Baitha, Id. A.P.P.

Present- Ravindra Kumar Ray,

District and Additional Sessions Judge-X,

Siwan.

Order

20.05.2026

This bail petition has been filed on behalf of custody accused petitioners **(1) Aryan Kumar, (2) Pawan Kumar @ Pawan Kushwaha** who are in custody since 03.04.2026 in connection with **Nautan P.S. Case No.-111/2026** registered u/s.-303(2), 317(5), 3(5) of B.N.S. and 25(1-B)(a), 26, 35 of Arms Act. Heard both the side on bail petition.

The Ld. Counsel appearing on behalf of the petitioners has submitted that no other bail application except this is pending before any other court and he has further submitted that petitioners are innocent and have not committed any offence. The Id. Counsel has further submitted that the petitioners have been falsely implicated in this case out of malice, enmity and grudge. It is further stated that the petitioner no. 1 has one criminal antecedent while the petitioner no. 2 has two criminal antecedents and the alleged recovery from the petitioners is false, fabricated and unsupported by independent witnesses and no incriminating article has been recovered from the conscious possession of the petitioners, and the search and seizure violated BNSS provisions. It is further stated that the accused petitioners are respectable persons and they falsely implicated due to village politics. Accordingly, the Ld. Counsel has prayed that the petitioner may be enlarged on bail.

Continued
20.05.2026

Continued.

20.05.2026

On the other hand, the Ld. APP for the State has vehemently opposed the prayer of bail and has submitted that there is sufficient material available in the case diary to support the allegations against the petitioner. Accordingly, it has been prayed that the bail petition filed on behalf of the petitioner may be rejected.

Heard both the sides and perused the case record. From perusal of case record, it appears that in this case the F.I.R. has been lodged in connection with **Nautan P.S. Case No.-111/2026** registered u/s.-303(2), 317(5), 3(5) of B.N.S. and 25(1-B)(a), 26, 35 of Arms Act. The prosecution story in brief as per F.I.R. is that on 03.04.2026 at about 4:30 PM, the informant alongwith other police personnel had proceeded for special raid and when they reached at Meetha Pul at about 05:10 PM and during vehicle checking near Meetha Pul, two persons were coming by motorcycle and having seen the police, they started running and with the help of police personnel, the said two persons were apprehended and on inquiry they disclosed their name as Pawan Kumar @ Pawan Kushwaha and Aryan Kumar and during search of the apprehended persons one country made pistol of 9mm was recovered from the accused person Pawan Kumar @ Pawan Kushwaha and when unloaded the pistol, one live cartridge was also recovered from the aforesaid accused person and one live cartridge of 9mm alongwith a mobile of Vivo company were recovered from the pant of Aryan Kumar. Thereafter, a seizure list of the seized material was prepared and the material was sealed and on inquiry they told that they are doing illegal business of liquor and they have not produced any valid document of the seized motorcycle as well as country made pistol.

From perusal of case record it appears that the accused petitioners are named accused of F.I.R. Vide Para 2 of Case Diary it appears that one loaded country made pistol of 9mm has been recovered from the conscious possession from Pawan Kumar @ Pawan Kushwaha and one live cartridge of 9mm

Continued
20.05.2026

Continued

20.05.2026

and one mobile of Vivo company have been recovered from the possession of Aryan Kumar and one motorcycle has also been recovered from the possession of accused petitioners. From perusal of case diary it appears that examination report of the seized pistol and cartridges has been mentioned in case diary, in which it has been found that the seized pistol and cartridges are defective and not effective. The accused petitioner no. 1 carries one criminal antecedent and petitioner no. 2 carries two criminal antecedents. Moreover, the accused persons are also in custody since 03.04.2026.

Therefore, considering the aforesaid facts and circumstances, submissions made, materials available on the record, I am inclined to grant the privilege of bail to the petitioners. Accordingly, the bail petition filed on behalf of the petitioners namely **(1) Aryan Kumar, (2) Pawan Kumar @ Pawan Kushwaha** is hereby **allowed** and the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the Id. Court with further condition that ***the bail bond of the accused petitioners shall be furnished after submission of the charge-sheet in the case.***

Dictated

(Ravindra Kumar Ray)
D.A.S.J.-X,
Siwan.
Dated- 20.05.2026

Date of Order	20.05.2026
Date of Reserving Order	Nil
Uploading Date	23.05.2026
Uploaded By	Ankit