

In the Court of Motish Kumar Singh Sessions Judge, Siwan.

Bail Petition No. 495/2026

Pachrukhi P.S. Case No. 41/2026

Wasim Akram & another.....Petitioners

Vs.

The State of BiharO.P.

ORDER

22.06.2026

1. Learned counsel for the petitioners moves present bail application filed on behalf of the accused-petitioners namely **(1) Wasim Akram, (2) Merajuddin Ansari**, who are in judicial custody since 28.03.2026 in connection with Pachrukhi P.S Case No. 41/2026 registered u/s 109, 3(5) of BNS along with 25(1-B)(i), 26, 27 of Arms Act.

2. Learned counsel of the petitioners submits that the petitioners are innocent and have committed no offence, rather they have falsely been implicated in this case. He further submits that no regular or anticipatory bail petition on behalf of these petitioners has ever been filed or moved either before this learned Court or before Hon'ble High Court, Patna. Learned counsel further submits that Pachrukhi P.S Case No. 182/2022, 181/2022 and 57/2019 and now 42/2026 is pending against the petitioner No. 1, and Pachrukhi P.S Case No. 42/2026 is pending against the petitioner No. 2 in which the petitioners are enjoying the privilege of bail. Other named co-accused of this case are enjoying the privilege of bail vide A.B.P No. 516/2026 and B.P No. 280/2026 by this learned Court. Petitioners are in judicial custody since 28.03.2026. There is no chance of their absconding or tampering with the prosecution evidence. Hence, learned counsel prays for bail.

3. On the other hand, learned P.P vehemently opposes the prayer of bail.

4. Heard. Perused the record.

5. From perusal of the record, it transpires that an FIR *vide* Pachrukhi P.S Case No. 41/2026 was registered on 13.02.2026 u/s 109, 3(5) of BNS along with 25(1-B)(i), 26, 27 of Arms Act against the petitioner along with other co-accused persons. As per fardbeyan, the informant alleged that on 12.02.2026, he came to Bhawani More from his bike and parked his bike in front of his market and went to attend the wedding ceremony in New Kalawati Marriage Hall with his friend Santosh Kumar Singh. It is further alleged that two unknown persons riding on a motorcycle came and the person, who is sitting at rear seat of the motorcycle shot below the right side of chest and fled away towards Siwan Town. Informant is full belief that Sardhanand Kumar, Jai Govind Singh, Bhanu Pratap Singh, Krishna Singh, The wife of Krishna Singh has involved in the occurrence.

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6. From perusal of FIR, it appears that the FIR is registered on mere suspicion against the other co-accused persons. From perusal of the record, it appears that petitioners are not named in the FIR, but their name surfaced in this case on the confessional statement of Surendra Sah. No T.I.P has been conducted by the police. As per LCR, the investigation of this case is complete and charge-sheet has already been submitted against the petitioners and co-accused u/s 109, 3(5) of BNS along with 25(1-B)(i), 26, 27, 35 of Arms Act. Earlier, co-accused Bhanu Pratap Singh has been enlarged on bail by this Court vide order dated 02.04.2026 in B.P No. 280/2026.

7. As per para No. 115 of the case diary, it appears that petitioner No. 1 bears two criminal antecedent and petitioner No. 1 bears one criminal antecedent. Moreover, petitioners are in custody since 28.03.2026.

8. Considering aforesaid fact and the fact that the petitioners are in custody since 28.03.2026, the present bail application is **allowed**. The petitioners are directed to be released immediately on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the Court below **with condition that the petitioners shall not repeat such offence in future. If the petitioners are subsequently found indulged in similar offences, the learned trial Court shall take steps for cancellation of their bail bond.**

(Dictated)

S/d-

(Motish Kumar Singh)

Sessions Judge, Siwan

22.06.2026