

In the Court of Addl. Sessions Judge-Vth, Siwan.

Bail Petition No. 518/2026

Maharajganj P.S. Case No. 144/26

Ishteyak Rai @ Suraj Petitioner.

Vs.

The State of Bihar O.P.

ORDER

26.05.2026

This bail petition has been filed on behalf of custodial-accused namely **Ishteyak Rai @ Suraj** in connection iwth Maharajganj P.S. Case No. 144/2026 registered u/s 25(1-B)(a), 26, 35 of Arms Act against the petitioner and other, put up and pressed. The petitioner is in judicial cusotody since **16.04.2026**.

Heard both sides.

As per the computerized petition of the informant A.S.I Divyanshu Kumar presently posted at Maharajganj P.S, the prosecution case, in short, is that on 15.04.2026 at about 5:00 P.M, the informant with police team set out from the police station and he was doing vehicle checking at Suman Chauk, in the meantime, the informant got a secret information at about 7:40 P.M that two persons with illegal armes were gathered to do any untoward incident near Anugrah Narain Umashankar Singh Mahila College, Maharajganj, Siwan at Dudhi Tola village. After verification and for necessary action, the informant with police team reached the spot at about 8:05 P.M at night, on seeing the police team, two persons started fleeing away. With the help of police team, one person was trapped, on inquiry, he disclosed his name as Ishteyak Rai @ Suraj. The arrested person disclosed the name of fled away person as Nasir. On bodily search, one loaded country made katta was recovered from the trapped person (petitioner) and also one Android mobile of Vivo company was recovered. On demand paper related to katta and mobile, no any relevant papers were produced by the petitioner. Seizure list was prepared and one of the copy was handed over to the petitioner.

Ld. Counsel of petitioner submits that the petitioner is innocent and has committed no offence rather he has falsely been implicated in this case. The petitioner bears clean past having no criminal antecedent. The police have maliciously roped this petitioner in this case. The petitioner has no concerned with the said occurrence. The actual affairs of faccts are that the petitioner has not concern with the said imaginary occurrence and on the alleged date of occurrence, he was in his house and in the midnight, police came there and arrested the

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petitioner with allegations that he is also an associate of the co-accused. The petitioner is in judicial custody since 16.04.2026. There is no chance of his absconding or tampering with the prosecution evidence. Hence, he prays for bail.

On the other hand, Ld. A.P.P opposes prayer of bail.

Having gone through the aforesaid facts and submissions as advanced on behalf of both sides and after perusal of record, it appears that this case has been registered u/s 25(1-B)(a), 26, 35 of Arms Act against the petitioner and other. There is allegation against the petitioner that he was arrested from the spot and one country made pistol and Vivo mobile have been recovered from the petitioner. Seizure list was prepared, but there is no independent witness in the seizure list. There is no criminal antecedent against the petitioner mentioned in the case diary. The petitioner is languishing in judicial custody since 16.04.2026.

So, considering the aforesaid facts, it seems proper to enlarge the petitioner on bail after furnishing bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of learned trial court.

(Dictated)

Sd/-

(Umashankar)

Addl. Sessions Judge-Vth,

Siwan.

26.05.2026.