

In the Court of Md. Gheyasuddin District & Addl. Sessions Judge- II
Vaishali at Hajipur,
S.Tr No.- 22/2026

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In the matter of :-

Muntun Kumar, Aged- 25 years, Son of Late Devendra Bhagat, R/o Village- Chak
Majahid, PS- Mahua, District-Vaishali,

..... Petitioner

Versus

The State of Bihar

..... Opposite Party

Order

06.04.2026

The petitioner above named is in custody since 06.09.2025 in connection with Mahua PS Case no. 909/2025, u/s 111 of BNS Act and 25(1-b)a, 26, 35 of Arms Act, and hence instant petition for the grant of regular bail has been filed on his behalf.

Heard the learned lawyer for the accused/petitioner as well as Learned APP on behalf of state.

The prosecution case in short is that on 06.09.2025 at about 15:05 hrs the informant got secret information that suspected accused of Mahua PS Case no. 739/2024 Muntun Kumar is sitting near Urdu Vidalay with his unknown associates and he is making plan to commit crime. After receiving the information the informant along with police personnel proceeded for Village- Chak Majahid at about 15:40 hrs, when the informant reached near Chakmajahid chowk, then he saw that 5 boys are assembled there. They were tried to be apprehended with the aid of force but out of them one was caught however others managed to flee away. On inquiry the apprehended accused has disclosed his name to be Muntun Kumar. The further prosecution

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case is that on the presence of witnesses search was made and on search one loaded pistol has been recovered from the waist of Muntun Kumar. On opening of it two live cartridges has been found. On further inquiry from Muntun Kumar he revealed the name of his associates who succeeded in fleeing away as (i) Uday Kumar, (ii) Satyam Kumar, (iii) Rakesh Kumar and one boy is friend of Uday Kumar. Accordingly, seizure list has been prepared and FIR has been instituted.

Learned counsel for petitioner submitted that the petitioner is innocent and he has falsely implicated in this case. It is further submitted that nothing has been recovered from the possession of petitioner. It is further submitted that petitioner has been falsely implicated in this case at the instance of his enemies. It is further submitted that petitioner is local person and ready to furnish sound sureties. It is therefore prayed that petitioner be admitted to regular bail.

Ld. APP opposed the petition and submitted that petitioner is named accused in the FIR and allegation against him is that police has recovered pistol along with two live cartridges. Hence his regular bail application is fit to be rejected.

From perusal of record it transpires that the allegation against petitioner is that police has recovered country made pistol along with two live cartridges.

In the above facts, circumstances and also considering the fact that the accused/petitioner along with others had assembled after preparation for committing dacoity and the police on secret information raided at the place and the accused/petitioner Muntun Kumar was apprehended whereas other accused persons managed to fled away. The police recovered pistol from the possession of accused/petitioner and accordingly seizure list has been

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prepared. The police after investigation has submitted charge sheet for the offence u/s 111 of BNS and 25(1-b)a, 26/35 of Arms Act and charge has also been framed. The accused/petitioner has accused in Mahua PS Case no.739/2024 for the offence u/s 351(2), 3(5) of BNS and 25(1-b)a, 26, 35 of Arms Act. In facts and circumstances of the offence, serious nature of offence committed and also considering criminal antecedent of committing similar nature of offences his prayer for bail is rejected.

Dictated

Md. Gheyasuddin
District & Addl. Sessions Judge-II
Vaishali at Hajipur.
06.04.2026