

IN THE COURT OF SESSIONS JUDGE, VAISHALI

Present : Harshit Singh

B.P. No. 471 of 2026, B.P. No. 497 of 2026

(Arising out of Patepur P.S. Case No. 127 of 2026)

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(Arising out of Patepur P.S. Case No. 127 of 2026)

In B.P. No. 471 of 2026:

Krishan Kumar, aged about 28 years, son of Manoj Singh, resident of village Salempur Salkhani, PS Patepur, District Vaishali.

In B.P. No. 497 of 2026:

Tribhuvan Kumar, aged about 23 years, son of Munshi Ram, resident of village Salempur Salkhani, PS Patepur, District Vaishali.

..... petitionerss

Versus

State of Bihar

.....Respondent

Appearance:

Learned Public Prosecutor for the State: Sri Shyam Babu Rai Ld. P.P.

Learned Counsel for petitionerss:

1. Sri. Abhinandan Kumar Singh, Ld. Adv.
2. Sri Ramnath Sharma, Ld. Adv

**Present: Harshit Singh,
Sessions Judge, Vaishali**

Date of Order: 27nd April 2026

Present Regular Bail Petitions filed on behalf of petitionerss named above, petitioner namely Krishan Kumar who is in custody since 08.03.2026 and petitioner namely Tribhuvan Kumar is in custody since 09.03.2026 in connection with Patepur P.S. Case No. 127 of 2026, registered u/s 25(1-b)a, 26 and 35 of the Arms Act is put up and moved today.

Heard the learned Counsel for the accused/petitioners and learned Public Prosecutor for the State.

It is stated in para 2 of the bail petitions that no petition for bail either regular or anticipatory has been moved on behalf of the petitioners before this court or before the Honorable High Court Patna.

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Ld. Counsel for the petitioners accused/applicant has submitted that petitioners are innocent, have committed no offence and they have been falsely implicated in this case whereas no such occurrence did ever taken place as alleged by the prosecution. Nothing has been recovered from the conscious possession of the petitioners. The petitioner namely Krishan Kumar has one criminal antecedent prior to this case, however, petitioner namely Tribhuvan Kumar has no criminal antecedent. The alleged place of occurrence is densely populated area and no punch witness is witness to the seizure Applicant is the man of means and there is no question of absconding and tampering the witness if they be released on bail and they are ready to furnish bail bonds accordingly to the order of this Court and if they will enlarge on bail, they will not misuse the privilege of bail. The allegations are general, vague and omnibus. Thus the Ld. Counsel submitted that considering the fact and circumstances, the prayer for bail of the petitioners be allowed.

Learned Public Prosecutor for the State vehemently opposed the Bail Petition and prayed to reject the bail of the petitioners.

Prosecution case in brief according to written petition of informant Sikandar Kumar is that on 08.03.2026 at about 15:45 hours, the police received a secret information regarding illegal purchase and sale of firearms by accused persons. Acting upon such information, a raiding team was constituted and proceeded to the place of occurrence. During the course of raid, the police apprehended accused Krishan Kumar, who attempted to flee on seeing the police party. On search of his house, one illegal pistol along with seven live cartridges was recovered from an almirah. Subsequently, on further disclosure made by the apprehended accused, the police conducted raid at a poultry farm, where other accused Tribhuvan Kumar and Shivam Kumar were apprehended. From the said place, one country-made firearm along with cartridges was recovered. The accused persons disclosed that they were engaged in illegal trade of arms and had procured the firearms from other accused for consideration. Mobile phones were also seized from their possession and seizure list was prepared in presence of witnesses. On the basis of the aforesaid allegations, the present case has been instituted for offences punishable under relevant provisions of the Arms Act.

On the basis of the written report this instant case was registered.

Heard both the parties and perused the case diary and other materials available on record. From perusal of the record, it transpires that The case involves recovery of illegal firearms and live cartridges, which is a serious offence under the Arms Act. The allegation against the petitioners are not general or omnibus, rather there is specific attribution of role and recovery. The materials available in the case diary prima facie indicate that the petitioners were involved in illegal procurement and supply of arms. The manner in which the offence is alleged to have been committed suggests organized illegal activity, which has serious ramifications on public order and safety. The prosecution case is based on the secret information followed by the raid conducted by the police party. From Perusal of the case diary it transpires that the witnesses in Para 3, 5 & 6, namely Manoj Kumar Pandey(S.I.), Ajeet Kumar(Constable No. 599, B.S.A.P-

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2) and Omprakash Singh (Constable No. 731, B.S.A.P-2), have supported the case of the prosecution. The petitioner namely Krishan Kumar is in custody since 08.03.2026 and the petitioner namely Tribhuvan Kumar is in custody since 09.03.2026 and the investigation against them is in progress.

Accordingly, the regular bail petitions **B.P. No. 471 of 2026 and B.P. No. 497 of 2026** is here by rejected.

If so advised, petitioners may renew their prayer for bail after framing of the charge.

Dictated

Harshit Singh
Sessions Judge, Vaishali

Date of Order	27.04.2026
Date of Uploading	29.04.2026
Uploaded by	A.K.

Dated 27.04.2026

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