

In the Court of Sessions Judge, Vaishali

B.P. No. 541/2026

Ravi Kumar, aged about 25 years S/o Suresh Bhagat
Resident of village – Hasanpur Bhaghnocha (Hasanpur Junaid), P.S. - Mahnar,
District – Vaishali.. : - Petitioner

Versus

State of Bihar : - O.P.

Appearance : -

Learned counsel for the petitioner : - Sri Ravi Shankar Singh, Advocate

Learned P.P. for the State : Sri Shyam Babu Rai, P.P.

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 13th.May 2026

The regular bail petition of the above named accused petitioner has been filed u/s 483 of B.N.S.S., who is in judicial custody since 10.04.2026 in connection with Desari P.S. Case No. 80/2026 for the offences u/ss. 25(1-b)a, 26 & 35 of Arms Act.

Heard the learned counsel for the accused petitioner and learned Public Prosecutor for the State and perused the record.

It is stated in Para 2 of the bail petition that earlier no bail application either anticipatory or regular has been filed on behalf of the petitioner before this court of sessions or before the Hon'ble High Court, Patna.

The case of the prosecution in brief, as per written report of the informant Sidarth Kumar, P.T.C. Desari P.S. is that on 01.03.2026 at about 04:00 A.M., the police party of Desari P.S., Vaishali, while on night patrolling, received secret information that one Sahbaaz Khan was carrying illegal firearms. Acting on the information, the police reached near his house at village Sultanpur. On seeing the police, the accused attempted to flee but was chased and apprehended, who disclosed his name as Shahbaj Khan. Upon search, one country-made pistol along with two magazines and a total of 10 live cartridges (7.65 mm) were recovered from his possession. He failed to produce any valid license or documents and disclosed that he had purchased the arms and ammunition from **Ravi Kumar**. The recovered articles were seized and the accused Shahbaj Khan was arrested.

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The learned counsel for the above named accused petitioner submits that the petitioner is innocent and has committed no offence. The allegation made against the petitioner is false and concocted. Nothing incriminating articles has been recovered from his possession. No case u/ss. 25(1-b)a, 26 & 35 Arms Act is made out against him. Petitioner has criminal antecedent of one other criminal cases i.e. Mahnar P.S. Case No. 83/2026 dated 01.03.2026 u/ss.25(1-b)a, 26 & 35 of Arms Act, in which he has been granted bail vide B.P. No. 390/2026. He has been remanded in this case from the said case. Petitioner is in judicial custody in this case since 10.04.2026. Hence, prayer has been made for bail.

The learned Public Prosecutor for the State opposed the prayer for bail.

Heard both the parties. Perused the trial court record and the case diary. From perusal of the trial court record and the case diary, it transpires that one Shahbaj Khan was apprehended by the police and on search one country-made pistol along with two magazines and 10 live cartridges (7.65 mm) were recovered from his possession. The said accused Shahabaj Khan on interrogation by the police disclosed that he has purchased the said arms and ammunitions from Ravi Kumar (petitioner). The informant in his re-statement in Para 4 and witnesses Chandan Kumar, Shatrudhan Das and Santosh Kumar (members of raiding team who raided at the house of Shahbaj Khan) in their statements in Para 5, 6 & 7 of the case diary have stated about recovery of fire arms from the possession of co-accused Shahbaj Khan. The apprehended co-accused Shahbaj Khan has confessed his guilt in his confessional statement as mentioned in Para 14 of the case diary and has disclosed that he has purchased the recovered arms and ammunitions from the petitioner Ravi Kumar. It further appears that except the confessional statement of accused Shahbaj Khan, there is no material available in the case diary against this petitioner Ravi Kumar. Petitioner has criminal antecedent of one case i.e. Mahnar P.S. Case

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No. 83/2026 u/ss. 25(1-b)a, 26 & 35 of Arms Act, which was lodged on 01.03.2026 and the present case i.e. Desari P.S. Case No. 80/2026 was also lodged on the same day. It further appears that the regular bail petition of the co-accused Shahbaj Khan was rejected by this court vide B.P. No. 378/2026 on the ground that there is specific allegation of recovery of illegal pistol alongwith magazines and 10 live cartridges from his conscious possession, which were found to be effective as per the test report of Arms Inspector. It appears that from the possession of this petitioner nothing has been recovered. He is in judicial custody since 10.04.2026. The charge-sheet has been submitted against the petitioner and co-accused Shahbaj Khan.

Considering the aforesaid facts and circumstances of the case as well as nature of allegations and the period of custody, the regular bail petition of the petitioner is allowed. Accordingly, the above named accused petitioner is directed to be enlarged on bail on furnishing **bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned trial court subject to the further condition that :-**

- (i) The petitioner will not indulge in any kind of such offence and shall appear and report to S.H.O. of concern police station on first week of the every month for a period of one year regarding his activity after being released from custody.
- (ii) The petitioner will not delay the disposal of trial in any manner what so ever and will remain physically present for framing of charge and at the stage of recording of statement under section 351 of B.N.S.S.
- (iii) The petitioner would not repeat similar type of offence in future.

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In case of breach of any of the aforesaid conditions, learned Court concern will be at liberty to cancel the bail and send the petitioner to prison.

Before accepting the bail bond of the petitioner, the learned Trial Court is requested to ensure that a copy of this order be sent to the S.H.O. of concern P.S. with direction that, the concern S.H.O. will inform the learned Court if the petitioner fail to appear before him in any month as specified in aforesaid condition.

However, the bail bond of the petitioner will be accepted after framing of charge.

(Dictated)

(Harshit Singh)
Sessions Judge, Vaishali

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