

In the court of District & Addl. Sessions Judge 1st, Bagaha, West Champaran.**Bail Petition No. 285/2026****Registration No.-285/2026****(Arising out of Chautarwa P.S. Case No. -45/2026)****Vidyanshu Rao @ Divyanshu Rao, S/o.-Bhuneshwar Rao, R/o. Village-Ahirwaliya, P.S.-
Chautarwa, District-West Champaran.....Petitioner****vs****State of Bihar.....Opposite Party**

25.03.2026 A bail application earlier filed on behalf of accused petitioner namely Vidyanshu Rao @ Divyanshu Rao under judicial custody since 04.02.2026 in connection with Chautarwa P.S. Case No.45/2026, u/s-288 BNS & Section 5,6 Explosive Substance Act pending in the learned Court of A.C.J.M.-I, Bagaha has been pressed today. Copy of the same has been served to the learned P.P In-charge for state. Case diary is available on record.

Sri Kamran Aziz, learned counsel on behalf of the petitioner and Sri Prabhu Prasad, learned P.P. In-charge for State are present before the Court.

The prosecution case in brief as narrated in the written application of informant namely Rahul Singh, S.I. Chautarwa Police Station is that on 31.01.2026 while he was working in his office he got information from a woman over his phone that there is a possibility of finding explosive material in the house of Neeraj Rao alias Pintu in village Ahirwalia. After that informing senior officer and registering Sanha No.0012/26 in this regard. Thereafter, S.I. Rupesh Kumar, S.I. Ramesh Kumar and night patrol officer S.I. Shambhu Sah along with other police personnel left the police station to verify the information and take necessary action. When the entire police team reached the house of Neeraj Rao alias Pintu at village Ahirwalia, they saw that a person was opening the door of his house and coming out with a yellow bag in his hand. When the police surrounded him and asked for his address, he told his name as Neeraj Rao alias Pintu. Meanwhile, seeing the police action, some villagers/relatives gathered, out of which two persons were requested to become independent witnesses, (1) Rishi Rao, (2) Monu Shahi agreed to become independent witnesses. In front of the two independent witnesses, Neeraj Rao alias Pintu presented a yellow bag in his right hand. Subsequently, the yellow bag was searched and found: (i) Explosive Class-2, marked APEX POWER 90, three pieces; (ii) Silver-colored detonator, two pieces and (iii) Black-and-red voltage multimeter, one piece. Thereafter, by preparing a seizure list, the aforesaid article was seized by the informant, which was found in the yellow colour bag and copy of the same served to the aforesaid Neeraj Rao. It is further stated that for the purpose of security seized explosive articles were kept at the ground of G.P. National School and Chowkidar Mohd. Qasim and Chowkidar Jagatnarayan Yadav were deputed to keep an eye on it. On the basis of application of informant, present case was registered.

It has been submitted on behalf of the petitioner that he is quite innocent and has committed no offence as alleged against him and has been falsely implicated in this case. Earlier no other bail application on behalf of the petitioner has been filed either before this court or any superior court. Petitioner has got four criminal antecedent as 1.Chautarwa P.S. Case No.361/22, 2.Chautarwa P.S. Case No.75/23, 3.Chautarwa P.S. Case No.103/23 and 4.Chautarwa P.S. Case No.306/25. It has been further submitted that petitioner has been falsely implicated in this case due to earlier case of petitioner's mother against the aforesaid Neeraj Rao, who is agnates of the petitioner. It has been further submitted that civil dispute between them is going on due to which aforesaid Neeraj Rao and Rishu Rao were assaulted and outraged the modesty of petitioner's mother. Thereafter on the basis of written petition of petitioner's mother Chautarwa P.S. Case

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25.03.2026 No.273/21 had been registered against both and said Neeraj Rao had produced the seized article to police in above referred case. It has been further submitted that neither explosive article has been recovered from the conscious possession of the petitioner nor he was arrested on the spot. It has been further submitted that due to civil dispute and earlier case of the petitioner's mother, police has implicated the petitioner in collusion with aforesaid Neeraj Rao. It has been further submitted that no any seized article has been tested by the expert. Therefore, how police has registered FIR u/s-5,6 Explosive Substance Act. It has been further submitted that on the basis of mere suspicion and surmises, police has arrested Divyanshu Rao and recorded his confessional statement in police custody which has got no evidentiary value in the eye of Evidence Act. It has been further submitted that petitioner is not named in F.I.R rather the person from whom explosive substance was recovered has named the petitioner. Nothing incriminating article has been recovered from his possession. Offences leveled against the petitioner is not applicable. Petitioner is under judicial custody since 04.02.2026. Hence, he may kindly be allowed bail.

On the other hand learned P.P. In-charge for State vehemently opposed the prayer for bail of the petitioner and submitted that petitioner has confessed in his confessional statement that he went to Neeraj Rao's house and threw the yellow bag containing explosives into his courtyard to implicate Neeraj Rao and his family to due to old dispute. As per para No.74 of case diary, petitioner has got four criminal antecedent. In view of above, he does not deserve bail.

Heard both sides and perused the F.I.R. and case diary. Petitioner is not named in F.I.R. Nothing recovered from the possession of the petitioner. Petitioner has also not been arrested at the place of occurrence. Petitioner is under jail custody since 04.02.2026.

Considering the aforesaid facts and circumstances of the case and material available on record as discussed above coupled with custody tenure, petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned court below.

(Dictated & Corrected)

(Ravi Ranjan)

District & Addl. Sessions Judge 1st

Date of order	25.03.2026
Date of Reserving Order	25.03.2026
Uploading Date	26.03.2026
Uploaded By	Manish Roy, Stenographer, DASJ-I