

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17269 of 2026

Arising Out of PS. Case No.-195 Year-2025 Thana- MATIHANI District- Begusarai

Shambhu Rai @ Shambhu Ray S/O Ramakant Rai R/O Village- Chakballi
Diyara, Ward No.5, P.S.- Matihani, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar, Adv. Mr.Chitranjan Kumar, Adv. Mr.Amit Prakash, Adv.
For the Opposite Party/s:		Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-05-2026 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The petitioner is apprehending arrest in connection with Matihani P.S. Case No.195 of 2025 lodged on 27.10.2025, for the offences punishable under Sections 173, 174 & 3(5) of the B.N.S., 2023 read with Sections 25(1-B)a/26(1)/35 of the Arms Act.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner with allegation that during the election period, the police executed raid at the house of the petitioner then from his house, one desi pistol and 11 live cartridges have been recovered along with other materials.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that from the content of FIR, it becomes crystal



clear that due to political revenge, the case has been lodged against the petitioner. He further submits that the petitioner and his brother both were named. From the spot, his brother was caught. He further submits that the petitioner was not present at his house.

5. Counsel submits that the criminal antecedent of the petitioner is clean and ready to fulfill all the conditions whatsoever shall be imposed him.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that recovery of the arms has not been made from conscious possession of the petitioner.

7. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of J.M.-1st Class-cum-A.M., Begusarai in connection with Matihani P.S. Case No.195 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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