

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16429 of 2026

Arising Out of PS. Case No.-343 Year-2025 Thana- KUNDWACHAINPUR District- East
Champaran

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Shailesh Kumar @ Shailesh Ray @ Shailesh Roy S/o- Ram Balak Prasad
Yadav @ Rambalak Rai Village- Yadopur Bakhari, P.S. Dhaka, Dist. East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar, Advocate
Mr. Shambhavi Priya, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 25(1-b)a
and 26 of the Arms Act.

3. The case of the prosecution is that police had
information that the petitioner was committing extortion on the
gun point and on this information, the petitioner was
apprehended.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Learned
counsel for the petitioner has submitted that nothing has been



recovered from the conscious possession of the petitioner. From perusal of the FIR, it is clear that on further enquiry, the petitioner disclosed that recovery of arms can be made by side of the road and from that input, one country made pistol along with two live cartridges was recovered by the road side. The witnesses of the seizure list are police personnel and police has not complied Section 105 of BNSS while preparing seizure. Moreover, he is languishing in judicial custody since 21.12.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and submitted that petitioner is having criminal antecedent of eleven cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kundwa Chainpur P.S. Case No. 343 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Sikrahna at Dhaka, East Champaran with following conditions:-

(i) The petitioner shall cooperate in trial and shall remain physically present in the trial court on each and every



fixed date.

(ii) As most of the cases of the petitioner are from Dhaka Police Station, so, he is also directed to mark his weekly attendance at Dhaka P.S.

(Ashok Kumar Pandey, J)

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