

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31982 of 2026**

Arising Out of PS. Case No.-77 Year-2026 Thana- DALSINGHSARAI District- Samastipur

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Kishore Kumar Pathak @ Kishor Pathak @ Kishore Kumar, S/o Late  
Dayanand Pathak, R/o Village - Asinchak, P.S. - Dalsinghsarai, Dist. -  
Samastipur. ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Mahendra Pratap, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      12-05-2026

1. Heard the parties

2. The petitioner seeks regular bail in connection with  
Dalsingsarai P. S. Case No. 77 of 2026 registered for the  
offences punishable under Sections 25(1-b)a, 26 and 35 of the  
Arms Act.

3. The main submissions advanced by the petitioner's  
counsel are that the petitioner is innocent and has been falsely  
implicated in the present case and no incriminating article has  
been recovered from the conscious possession of the petitioner  
rather one country made pistol has allegedly been recovered  
from the possession of the co-accused Ram Babu Paswan. It is  
further submitted that the petitioner was merely riding the  
motorcycle at the request of the co-accused and had no  
knowledge regarding the alleged possession of the country made  
pistol by the co-accused and the motorcycle in question also



belongs to the co-accused and not to the petitioner and further there is no material to show conscious possession or nexus of the petitioner with the alleged seized firearm and the petitioner has been languishing in jail since 17.02.2026.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. In the facts and circumstances of this case and considering the statements made in the petition as well as above submissions, coupled with this fact that alleged firearm was recovered from the possession of the co-accused Ram Babu Paswan and the motorcycle upon which the petitioner and the said co-accused Ram Babu Pawan are said to be riding belongs to the co-accused Ram Babu Paswan as stated by the petitioner in paragraph no. 10 of the petition, in my opinion, the petitioner deserves the relief of bail. Accordingly, let the petitioner named- above be enlarged on bail in connection with Dalsingsarai P. S. Case No. 77 of 2026 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

**(Shailendra Singh, J)**

Rajiv/-

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