

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34684 of 2026

Arising Out of PS. Case No.-80 Year-2026 Thana- DESARI District- Vaishali

Shahbaz Khan @ Shahbaj Khan S/o Asfak Khan @ Ashfaq Khan R/o Village
- Sultanpur, P.S - Desari, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Desari P.S. Case No.80 of 2026 registered for the offence punishable under Sections 25(1-b)a, 26 & 35 of the Arms Act.

3. The case of the prosecution, in short, is that one country made pistol along with two magazines and 10 live cartridges were recovered from the possession of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that nothing has been recovered from the possession of the petitioner. Learned counsel for the petitioner has further submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of the BNSS while making seizure. Learned counsel for the



petitioner has further submitted that the petitioner is having no criminal antecedent and he is in judicial custody since 02.03.2026.

5. The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned Additional Chief Judicial Magistrate-XI, Vaishali at Hajipur in connection with Desari P.S. Case No.80 of 2026.

(Ashok Kumar Pandey, J)

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