

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89521 of 2025

Arising Out of PS. Case No.-320 Year-2025 Thana- RAMGARHWA District- East
Champaran

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Shekhar Kumar @ Shekhar Gupta S/o Rajesh Kumar @ Rajesh Gupta
Resident of Village - Ramgarhwa Mauje, P.S.- Ramgarhwa, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Advocate.

For the Opposite Party/s : Mr.Harendra Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-01-2026 Heard learned counsel appearing on behalf of the

petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Ramgarhwa P.S. Case No. 320 of 2025 registered for the
offence punishable under Section 25(1-b)a, 26 and 35 of the
Arms Act.

3. As per the allegation made in the F.I.R., co-accused
Raushan Kumar was apprehended and on search, from his left
waist, a country made pistol without cartridge and a motorcycle
bearing Registration No. BR-22AK-2890 and an Android
mobile was recovered. The name of the petitioner surfaced in
the case on the disclosure made by the co-accused Raushan
Kumar.



4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has falsely been implicated in the present case due to enmity. The name of the petitioner has surfaced in the case on the disclosure made by the apprehended co-accused Raushan Kumar. Nothing has been recovered from the conscious physical possession of the petitioner. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, I find that the learned District Court under such circumstances is required to verify from the concerned District Transport Officer, whether the motorcycle in question bearing Registration No. BR 22 AK 2890 is stolen one and not registered in the name of the petitioner on the basis of the Registration Number, Chassis Number and Engine Number.

7. If it is found that the motorcycle is not registered in the name of the petitioner and is not a stolen one on the basis of report of the concerned District Transport Officer, then in that case, the petitioner, above named, be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned



District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Ramgarhwa P.S. Case No. 320 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The District Transport Officer concerned is directed to furnish the report before the learned District Court well within a period of two weeks. In case of failure, the learned District Court can proceed against the District Transport Officer in accordance with law.

9. Communicate a copy of this order to the concerned District Transport Officer and the District Collector.

10. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

11. The present bail application stands disposed of.

(Purnendu Singh, J)

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