

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68415 of 2023**

Arising Out of PS. Case No.-280 Year-2023 Thana- ALOULI District- Khagaria

Jitendra Sada S/O Hare Ram Sada R/O Vill-Saharam, Ps-Simri Bakhtiyarpur,  
Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                                                     |
|----------------------------|---|-------------------------------------------------------------------------------------|
| For the Petitioner/s       | : | Mr. Ajay Kumar Thakur, Adv.<br>Ms. Vaishnavi Singh, Adv.<br>Mr. Ritwik Thakur, Adv. |
| For the Opposite Party/s : |   | Mr.Dilip Kumar No. 1                                                                |

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

3      22-12-2023                      Heard learned counsel for the petitioner and learned  
APP for the State as also perused the case diary.

2. The petitioner seeks bail in connection with Alauli  
P.S. Case No. 280 of 2023 instituted for the offences under  
Sections 25(1-b)a, 26, 35 of the Arms Act.

3. The prosecution case, in short, is that on  
15.06.2023, the Informant, an Officer In-charge of Alauli left  
the Station and started checking vehicle plying between Halwan  
and Meghauna. In course of checking, a bus coming from Alauli  
side was stopped whereafter two persons got down from the bus  
and started to flee but, on suspicion, both of them were arrested  
by the police who disclosed their names as Jitendra Sada  
(petitioner) and Bhim Sada. On search, the police recovered one  
country made fire-arm with one cartridge from the waist and



two cartridges from the pocket of his pant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has no criminal antecedent and is languishing in judicial custody since 16.06.2023. He further submits that no independent person has been made witness to the search and seizure. Nothing incriminating has been recovered from the possession of the petitioner and has wrongly been made accused in this case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the period of custody as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Alauli P.S. Case No. 280 of 2023.

**(Rudra Prakash Mishra, J)**

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