

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62701 of 2025

Arising Out of PS. Case No.-442 Year-2022 Thana- MADANPUR District- Aurangabad

Suresh @ Loha @ Loha Singh @ Suresh Singh Bhokta S/O Sohar Singh
Bhogta @ Sohar Singh Bhokta R/O Vill.- Tilhe Tand, P.S. Dhangai, Dist.-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Advocate
Mr. Aman Vishal, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 04-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Madanpur P.S. Case No. 442 of 2022 registered for the alleged offences under Sections 147, 148, 149, 353, 307, 120B of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the Arms Act and Section 3, 4, 5, of the Explosive Substances Act and Section 13, 16, 18 and 20 of the Unlawful Activities (Prevention) Act, 1967.

03. As per prosecution case, secret information was received about Maoists keeping arms, ammunition and explosive substance on a hillock. A raid was conducted and from the identified place, one pressure IED, rifle, magazines and



cartridges were recovered. The pressure IED was subsequently exploded. The petitioner and a number of co-accused persons were named for their involvement in the *naxalite* activities.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no involvement in the alleged occurrence and he has been named in this case merely on suspicion for being involved in the naxal activities. Except for this allegation, there is no other material to show the complicity of the petitioner in the alleged occurrence. The petitioner has no concern with the seized articles and the incriminating articles has been seized from a forest. In fact, nothing incriminating has been recovered from the person or possession of this petitioner. The petitioner is having antecedent of three cases. The petitioner is in custody since 23.04.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague and non-specific nature of allegation against the petitioner and also considering the period of custody of the



petitioner along with submission of charge-sheet, the petitioner above named is directed to 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 learned Chief Judicial Magistrate, Aurangabad/court concerned in connection with Madanpur P.S. Case No. 442 of 2022, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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