

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72280 of 2024

Arising Out of PS. Case No.-146 Year-2024 Thana- ALOULI District- Khagaria

Rambalak Yadav, Son of Mahendra Yadav, Resident of Village - Pokhara,
Panchayat - Chikouari, P.S. Alouli (Alauli) (Bahadurpur), District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 84428 of 2024

Arising Out of PS. Case No.-146 Year-2024 Thana- ALOULI District- Khagaria

Alok Kumar Saksena @ Chandan Kumar @ Chandan Yadav, S/o- Ram Balak
Yadav, R/o Village- Bahadurpur, P.S. Allouli, Dist. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 72280 of 2024)
For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP
(In CRIMINAL MISCELLANEOUS No. 84428 of 2024)
For the Petitioner/s : Mr. Basant Kumar Choudhary, Sr. Advocate
Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 04-03-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in connection
with Alouli (Alauli) P.S. Case No.146 of 2024 registered for the
offence punishable under Sections 25(1-b)a, 26 and 35 of the
Arms Act, Sections 10, 13, 17 and 18 of the Unlawful Activities



Prevention Act and Sections 387, 389, 504 and 34 of the Indian Penal Code.

3. The case of the prosecution is that one Sandeep Yadav has given his confessional statement and on the basis of confessional statement, the house of Rambalak Yadav, the petitioner was searched. It is stated that beside the bedroom of Alok Kumar Saxena @ Chandan Kumar, six country made pistols and ten live cartridges were recovered.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. It is further submitted that in this case though the hosue of Rambalak was searched, no recovery was made from the possession of Rambalak Yadav rather the recovery was made beside the bedroom of Chandan Kumar. Regarding Chandan Kumar, it has been stated that the room from where recovery was made is open and anybody can have access. It has also been submitted by learned counsel for the petitioners that Sandeep Kumar is a dreaded maoist and on his instance, this recovery was made. It has also been submitted that the petitioners have got no concern in any way with the seized article. Petitioner Chandan Kumar is having no criminal antecedent whereas petitioner Rambalak Yadav is having one criminal antecedent and in that



case, he has been acquitted. He has been again remanded in one case. They are languishing in judicial custody since 15.04.2024.

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 petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Alouli (Alauli) P.S. Case No.146 of 2024.

(Ashok Kumar Pandey, J)

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