

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1497 of 2026

Arising Out of PS. Case No.-428 Year-2025 Thana- ALOULI District- Khagaria

Rahul Kumar S/o Harendra Yadav, Resident of Village- Gadhbanni, P.S.-
Alouli, Dist- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Alouli P.S. Case No. 428 of 2025 dated 29.09.2025, registered for the offences punishable under Sections 310(4), 310(5) and 303(2) read with Section 3(5) of the B.N.S., 2023 and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, police received secret information about the co-accused Kumar Ji Kumar making plan for robbery and the police reached the identified place where the co-accused and other miscreants had been making the plans. Five persons were found there and one of them fled away and four of them were apprehended including this petitioner. From two of the co-accused persons, recovery of fire-arms and ammunition were made and from the possession



of this petitioner, recovery of mobile phones and a pulsar motorcycle were made.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in the present case. The prosecution story is not believable as no arms or ammunition were recovered from the possession of this petitioner. The allegation of making plans for committing dacoity gets falsified as no fire-arms or ammunition were recovered from the petitioner. Recovery has been shown from other co-accused persons. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 30.09.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery of any incriminating material has been shown from this petitioner and further considering the nature of allegation, the clean antecedent of petitioner, his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail



bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria / concerned Court, in connection with **Alouli P.S. Case No. 428 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other 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, if so required by the learned trial Court.

(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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