

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28318 of 2026

Arising Out of PS. Case No.-345 Year-2023 Thana- ALOULI District- Khagaria

Bhagwan Das S/O Upendra Tanti @ Upendra Das Resident of Village-
Dharharwa, P.S-Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sagar Suman, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 120 and 34 of Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. The case of the prosecution is that one Kundan was arrested who on interrogation stated that miscreant this petitioner and one one Ajay Mukhiya who are lodged in murder case in Khagaria Jail, called him on phone to kill one Surendra Prasad. He has further stated that some persons of Ajay Mukhiya and Bhagwan Das gave him five cartridges and a pistol and when he was making a plan for murder, he was arrested by police. He has concealed the bullets in the house of relative Upendra Chaudhary and on raid, from his house, five bullets were recovered.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. His name has surfaced on the basis of confessional statement of Kundan Kumar and recovery, if any, was made from the house of Upendra Chaudhary. Moreover, the petitioner is languishing in judicial custody since 20.10.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that petitioner is having criminal antecedent of six cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Alauli P.S. Case No. 345 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria/concerned court.

(Ashok Kumar Pandey, J)

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