

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90367 of 2025

Arising Out of PS. Case No.-21 Year-2020 Thana- ROSHANGANJ District- Gaya

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Alok @ Alok Kumar Pandey @ Alok Sharma @ Alok Kumar S/O Raj
Nandan Sharma @ Rajna Nandan Azad @ Azad Sharma Resident of Village -
Parta, P.S- Amba, Dist- Aurangabd

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Sagar, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-04-2026 Heard Mr.Jitendra Kumar Sagar, learned counsel for

the petitioner and Mr.Chandra Sen Prasad Singh, learned

A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
21.08.2025 in connection with Raushanganj (Banke Bazar)
P.S. Case No. 21 of 2020, F.I.R. dated 07.02.2020 registered
for the offence punishable under Sections 147,148,149,120-
B,121(a),124(A),427,435,448,506 and 365 of IPC and
Sections 10,13,16,18,20 U.A.P. Act and Section 17 of C.L.A
Act.

3.The prosecution case as alleged in the self
statement of Sanjay Kumar SHO Banke Bazar stating inter
alia therein that on the night of 06.02.2020 at about 8:00 PM



information on the mobile received in which it was informed that Dumri, Mahavirganj near Moraiya village on a vehicle set fire by the Mawobadi and clerk of the construction parties namely Binod Yadav had been kidnapped. It was also reported by the Government agency, local people, local press reporters and security forces. Thereafter Mawobadi locked the house of Rajesh Singh Bhokta village Moraniya. Having got the aforesaid information on 07.02.2020 reached at the place of the occurrence alongwith STF, CRPF Sondaha camp, SHO Lutua and others forces and got secret information that 20 people of Mawobadi bearing dresses holding arms in their hands. In the aforesaid team of Mawobadi head leaders name Sandeep Yadav alongwith 13 named accused including petitioner and 6 to 7 unknown persons. First of all they have lit fire on roller near Dumri Primary School thereafter locked the door of Rajesh Singh Bhokta and subsequently kidnapped Binod Yadav and giving slogan they fled away the side of forest area. Having taken photographs Tractor and roller, seizure list prepared Accordingly FIR lodged.

4. Learned counsel appearing for the petitioner submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as



alleged in the FIR. From a bare perusal of the FIR it appears that the informant is not the eye witness of the alleged occurrence and he has lodged the present case merely on the basis of secret information. Learned counsel for the petitioner submits that thereafter threatening the petitioner he has been arrested and he has confessed his guilt in the present occurrence and apart from that, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and petitioner has been made accused in the present case merely on the basis of his previous criminal antecedents and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 21.08.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner has confessed his guilt in the present occurrence but fairly submits that except the confession, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. Further submits that the petitioner carries four more cases other than the present one but he fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of



the bail petition

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sherghati, Gaya in connection with Raushanganj (Banke Bazar) P.S. Case No. 21 of 2020, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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