

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92003 of 2025

Arising Out of PS. Case No.-450 Year-2025 Thana- ALOULI District- Khagaria

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Suresh Yadav @ Surendra Yadav S/o- Kiro Yadav @ Kiro Prasad Yadav
Resident of Village- Morkahi Ward No 05 Post- Hathwan PS- Alauni District-
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-02-2026 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 25 (1-b) a, 26 and 35 of the Arms Act.

3. The case of the prosecution is that from the house of this petitioner, two country made pistols and 21 live cartridges were recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that



the alleged recovery has been made from the joint house of the petitioner. It is further submitted that in that house, altogether 15-16 persons are residing. There is no independent witness of the seizure list rather they are police personnel. The police while making seizure have not followed the mandatory provisions of Section 105 of the BNSS. The seizure was made jointly and it is not clear as to from whose possession, what was recovered. Moreover, the petitioner is languishing in judicial custody since 15.10.2025. It has also been submitted that other co-accused person has already been granted bail by this court vide Cr. Misc. No. 84843 of 2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail stating that the petitioner has five criminal antecedent.

6. Considering the aforesaid 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. 450 of 2025 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 **with a condition that the petitioner shall cooperate in trial and shall remain**



**physically present before the learned trial court on each
and every fixed date.**

(Ashok Kumar Pandey, J)

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