

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

B.P. No. 878/2026

Arising out of Bandeya P.S. Case No. 57/2026

Present:- Rajeev Ranjan Kumar, Sessions Judge, Aurangabad (Bihar)

Santu Kumar, S/o Dasrath Yadav, Age-39 years, R/o village- Mayapur, P.S.-
Bandeya, Distrcit- Aurangabad (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

Appearance :

For the Petitioner(s)	:	Sri Shiv Pujan Paswan, Adv.
For the State	:	Sri Ajay Kumar, P.P.

24.07.2026

The petitioners, who has been undergoing judicial custody since dated 31.05.2026, preferred this application for grant of bail in connection with Bandeya P.S. Case No. 57/2026 instituted under Section 25(1-B)(a) and 26 of the Bharatiya Nyaya Sanhita, 2023. A copy of the bail petition has been served upon Ld. P.P. for the state.

The brief facts of the case are that the informant along with other police personnel had apprehended one co-accused Uday Kumar from his house situated at village- Belhariya in connection with Bandeya P.S. Case No. 53/2026 and as per his disclosure, the informant raided the house of one of his associates namely Santu Yadav (petitioner herein). The petitioner Santu Yadav was found present at his house and in his presence, one country made pistol has been recovered from his house. As per further disclosure, one plastic bag was recovered near a palm tree and after opening the same, one musket (rifle) without magazine, one country made tharnet without magazine, one country made pistol, two live cartridges of 0.135 bore and three filled cartridges of 0.315 bore were recovered and seized. Thereafter, the petitioner and one co-accused Uday Kumar were arrested and seizure list was prepared.

It has been submitted by the learned counsel appearing for the petitioner that the petitioner is quite innocent and has committed no offence. It is further submitted that the petitioner is a social whistle blower, who raised voice against misdeeds of police, hence, to teach a lesson, police have falsely implicated the petitioner in this case. There is no cogent evidence on record against the petitioner. There is nothing against the petitioner to show his involvement in the

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case. It is further submitted that the alleged recovery from the house of petitioner was made on dated 28.05.2026 and the petitioner was arrested on the same day but he was forwarded to judicial custody on dated 31.05.2026, which is in violation of mandatory provisions of statute and of Constitution. There is no independent witness of the alleged incident. Petitioner is having one criminal antecedent vide Bandeya P.S. Case No. 53/2025. It is lastly submitted that the petitioner has been languishing under judicial custody since dated 31.05.2026. On these grounds, it is prayed that the petitioner be enlarged on bail.

On the other hand, learned P.P. opposed the prayer for grant of bail to the petitioner.

Heard learned counsel appearing on behalf of the petitioner and learned P.P. for the State.

Petitioner and other co-accused persons are a member of naxal group and on the basis of confessional statement given by one co-accused Uday Paswan, there is recovery of one country made pistol from the house of petitioner. Arms and ammunition were also recovered from a place as located by the said co-accused. The investigation is still under progress.

Hence, the bail petition filed on behalf of the petitioner Santu Kumar is hereby rejected.

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)