

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37664 of 2021

Arising Out of PS. Case No.-83 Year-2020 Thana- KHAGAUL District- Patna

MUNCHUN YADAV @ RAKESH KUMAR Son of Late Jatadhari Yadav @
Ganguli Rai Resident of Village - Babu Chak, P.S.- Phulwarisharif, Distt.-
Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y. C. Verma, Sr. Adv.
Mr. Sanjeev Ranjan
For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 06-04-2022 Heard learned Senior Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Sessions Trial No. 234 of 2021, arising out of Khagaul Police
Station Case No. 83 of 2020, registered for the offences
punishable under Section 302 of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case, as per the First Information
Report, is that the brother of the informant was found dead near
his hutment and a suspicion has been raised in the First
Information Report against the petitioner that about two days
back, there was a quarrel between the petitioner and the
deceased on the point of payment of some amount and the



petitioner had threatened the deceased of dire consequence.

Learned Senior Counsel for the petitioner submits that except the suspicion raised against the petitioner in the First Information Report, there is no other material to connect him with the present offence. He further submits that the petitioner is in custody since 30.12.2020 and charge sheet has been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

On the other hand, learned Additional Public Prosecutor submits that the petitioner has criminal antecedents of similar nature of offence and the statement made in the First Information Report has been corroborated by the independent witnesses that the petitioner had threatened the deceased about two days back in relation to the dispute regarding payment of some amount.

Regards being had to the submissions advanced on behalf of the parties and taking into consideration the criminal antecedent of the petitioner, I am not inclined to grant regular bail to the petitioner, at this stage.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after six months from today, if the trial does not show any



progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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