

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28398 of 2023

Arising Out of PS. Case No.-149 Year-2008 Thana- ATHMALGOLA District- Patna

Saina Kumar @ Saina Yadav, Son of Ram Ratan Prasad Singh @ Ram Ratan
Yadav Resident Of Meura, P.S. Athamalgola, Dist. Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Athmalgola P.S. Case No. 149 of 2008 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act. He has got one criminal antecedent.

3. As per the prosecution story, on 27.10.2008, at about 02:00 A.M., when the informant woke up to feed his buffalo, three accused persons entered into his house and shot at his sleeping wife three times as a result of which she died on the spot. The informant identified the accused as Mauli Yadav, Saina Yadav (this petitioner) and Chandan Yadav.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case, this being a case of the year 2008 in which the petitioner has been specifically named as one of the three persons who had entered into the house of the informant and had fired upon his wife, besides that the petitioner is also having a criminal antecedent of similar nature, thus, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

7. The prayer for anticipatory bail of the petitioner is, thus, refused.

8. This application stands dismissed.

(Rajeev Ranjan Prasad, J)

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