

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21221 of 2024

Arising Out of PS. Case No.-162 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

Guddu Yadav @ Guddan Yadav Son of Karu Yadav Resident of Village-
Mahulia, Police Station- Chanan, Dist.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Advocate

For the State : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt for bail of the petitioner
as earlier such prayer was rejected by order dated 02.08.2023 in
Cr. Misc. No. 21032 of 2023.

3. The petitioner seeks bail in connection with Piri
Bazar P.S. Case No. 162 of 2021 for the offence under Sections
147, 148, 149, 448, 364 of the Indian Penal Code and Section 27
of the Arms Act and under Sections 16, 18, 20, 23 of unlawful
Activities Act.

4. The following order was passed on 02.08.2023 in



Cr. Misc. No. 21032 of 2023 which reads as under:

Heard learned counsel for the petitioner and State.

2. The petitioner is in custody in connection with Piri Bazar P.S. Case No. 162 of 2021 for the offence under Sections 147, 148, 149, 448, 364 of the Indian Penal Code and Section 27 of the Arms Act and under Sections 16, 18, 20, 23 of unlawful Activities Act.

3. As per prosecution case, 10-15 Maoists entered into the house of the informant and kidnapped his son and fired about 10 to 15 rounds.

4. During investigation, the police had encounter with the Maoists and one of the naxalites, namely, Pramod Koda was shot dead by the police and son of the informant was released.

5. The petitioner has been found to be involved in the crime. He is a naxalite and he is accused in five similar cases Under unlawful Activities (Prevention) Act.

6. Considering the serious allegation and criminal antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

8. The Trial Court is directed to expedite the trial.”

5. The Hon'ble Supreme Court in a recent judgment in the case of **Gurwinder Singh vs. State of Punjab and Anr.** reported in **2024 SCC Online SC 109**, has held that jail is the Rule and bail is an exception in cases under UAP Act.

6. This Court finds no ground to review its earlier order dated 02.08.2023.



- 7. Accordingly, this application stands dismissed.
- 8. The Court below is directed to expedite the trial.

(Sandeep Kumar, J)

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