

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48318 of 2024

Arising Out of PS. Case No.-329 Year-2021 Thana- MUNGER MUFFASIL District- Munger

Kailu Yadav, Son of Chhedi Yadav, Resident of Village - Tikarampur, Bihari
Marar Tola, P.S. - Muffasil, District - Munger, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Muffasil P.S. Case No. 329 of 2021, registered on 18.12.2021 for the offences under Sections 147, 302, 384 and 506 of the Indian Penal Code and Sections 27 and 35 of the Arms Act.

3. As per prosecution case, the petitioner and other co-accused persons assaulted the informant and his brother and co-accused persons shot dead the brother of the informant. The occurrence took place in the background of demand of extortion by the petitioner and his associates.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case due to village politics. Though the petitioner has been named in the FIR but there is no allegation against the petitioner for opening fire or causing any injury to the deceased or to the informant. Learned counsel further submits that the petitioner is having criminal antecedent of five cases but he is on bail in all such cases.

5. Learned APP opposes the prayer for anticipatory bail submitting that the petitioner appears to be habitual offender and he is accused under Section 307 of IPC in four cases apart from another case which has been registered under some minor sections of IPC.

6. Considering the nature of allegation of and the long criminal antecedent of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Arun Kumar Jha, J)

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