

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50720 of 2023

Arising Out of PS. Case No.-185 Year-2021 Thana- NAUTAN District- Siwan

ACHAY LAL YADAV @ AKSHAY LAL YADAV S/O LATE SHAMBHU
YADAV R/O VILLAGE- JAIJOR, P.S- ANDAR, DISTT.- SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-01-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Nautan P.S. Case No.185 of 2021, registered for the offence
punishable u/s 302, 120(B)/34 of the IPC and 27 of Arms Act.

3. Allegedly, one Sikandar Kumar Yadav has been shot dead
by some unknown miscreants in course of snatching liquor from
the deceased. The deceased, the petitioner and other accused
were involved in liquor business.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He has been falsely implicated in this case due to ulterior
motive. It is submitted that petitioner is not named in the F.I.R.
and he has been made accused in this case on the basis of



confessional statement of co-accused Laloo Yadav. There is no specific overt act against the petitioner. Petitioner has one criminal antecedent, which is also mentioned at para-3 of the bail petition.

5. Learned APP for the State opposed the prayer for bail by submitting that the petitioner has two criminal antecedents, which is clear from para-91 of the case diary and the petitioner has suppressed this fact.

6. Considering the aforesaid facts and circumstances and the suppression of fact, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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