

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60202 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- MADHEPUR District- Madhubani

Nakul Yadav @ Ashutosh Yadav @ Ashutosh Kumar Yadav Son of
Ramashish Yadav Village- Birpur, P.s.- Madhepura, Dist.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Madhepur P.S.
Case No. 08 of 2024, registered under Sections 399, 120B of the
Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms
Act.

3. The prosecution case, in short, is that, one country
made pistol has been recovered in this case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel for the petitioner also submitted
that name of the petitioner has transpired in this case on the
basis of confessional statement of co-accused Rajesh Kumar



Paswan and the same has got no evidentiary value. The petitioner has got no concern with the alleged recovery of arms. The petitioner has got five criminal antecedents in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that the petitioner has got five criminal antecedents. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, criminal antecedents, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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