

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85370 of 2023

Arising Out of PS. Case No.-61 Year-2012 Thana- GOH District- Aurangabad

=====

Jugeshwar Yadav @ Nepali Yadav @ Nepali Jee S/O RACHHEYA YADAV
VILLAGE- BODHI ASTHAN, PS. AMAS, DIST. GAYA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Adv.

Mrs.Meena Singh, Adv.

For the Opposite Party/s : Mrs.Nirmala Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Goh P.S. Case No.61 of 2012, registered for the offence
punishable u/s 384, 436, 427, 120(B), 147, 148, 149 of the IPC
and section 17 of the C.L.A. Act.

3. Allegedly, on 16.01.2012 at about 12:30 PM, when
informant and other staffs were sleeping, 15 accused persons
armed variously came there and they set fire in the residential
tent in which the informant and his associates were sleeping by
saying that levy is not being paid by their owner. Various
articles got burnt in the fire and the accused fled away by giving



slogan Maowadi Jindabad.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence. He is not named in the F.I.R. and has been falsely implicated in this case due to ulterior motive. His name transpired in this case on the basis of confessional statements of co-accused but petitioner never participated in the alleged occurrence. It is submitted that in the year 2018 itself, the petitioner filed anticipatory bail in this case before the court below, which was withdrawn when the Court below observed that the same was not maintainable as the petitioner was not an accused in this case. Later on, it was informed to the petitioner by the police that he has been made accused in this case and therefore, he filed anticipatory bail before the learned Court below, which was rejected on the ground that the petitioner is an active notorious extremist of Naxal organization (*Maowadi Sangathan*). Petitioner has four criminal antecedent of similar nature of offence.

5. Learned APP for the State opposed the prayer for bail by submitting that petitioner is a notorious extremist of Naxal organization, having criminal antecedents in similar nature of offence, as such, it is not a fit case for grant of bail.



6. Considering the aforesaid facts and circumstances, the criminal antecedent of the petitioner and the nature of offence, 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)

pallavi/-

U		T	
---	--	---	--

