

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19990 of 2025

Arising Out of PS. Case No.-336 Year-2024 Thana- SHEOHAR District- Sheohar

Prakash Kumar Badal @ Mithu Yadav Son of Late Munna Rai Resident of
Village - Belsand, P.S. - Belsand, District - Sitamarhi (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-06-2025 Heard Mr. Uday Kumar, learned counsel for the
petitioner and Mr. Jagdhar Prasad, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Sheohar P.S. Case No. 336 of 2024, F.I.R. dated 24.11.2024 for the offences punishable under Sections 109, 132, 121(1), 121(2), 3(5) of the BNS, 2023, 27 of the Arms Act and Sections 30(a) and 45 of the Bihar Prohibition and Excise Amendment Act, 2022.

3. According to prosecution case, the petitioner along with other co-accused persons came and fired upon the police personnel due to which one police personnel got injured. It is further alleged that the said vehicle was seized and total 396 liters of Nepali liquor was recovered.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as



alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

5. The learned Additional Public Prosecutor for the State on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner along with other co-accused person was travelling on a motorcycle ahead the Bolero vehicle. When the police apprehended the said vehicle then the petitioner who was sitting back on the motorcycle, fired upon the police personnel and one police personnel has received injury in his leg and the statement of the injured police personnel was recorded in paragraph 59 of the case diary and injury report of the injured police personnel is mentioned in paragraph-101 of the case diary.

6. Considering the allegation as alleged in the F.I.R and the material available on record, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Sheohar P.S. Case No. 336 of 2024 pending in the court of learned Exclusive Special Judge Excise, Sheohar, District-Sheohar..

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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