

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25064 of 2025

Arising Out of PS. Case No.-246 Year-2024 Thana- BENIPATTI District- Madhubani

Mukesh Kumar Yadav S/o Dukhi Prasad Yadav @ Dukhi Yadav R/o Village-
Gangaur, P.S.- Harlakhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Advocate
For the Opposite Party/s	:	Mr. Satya Nand Shukla, APP
For the Informant	:	Mr. Ankit Raj, Advocate

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

ORAL ORDER

4 19-09-2025 Heard learned counsel for the petitioner, learned APP

for the State, learned counsel for the informant and perused the

case diary.

2. The petitioner apprehends arrest in Benipatti P.S.
Case No. 246 of 2024, registered under Sections 103(1), 61(2),
3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Sections
25(1-B)(a), 26, 27 and 35 of the Arms Act.

3. The prosecution case, in short, is that the petitioner
was involved in committing murder of informant's father by
firing.

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 submits that
the petitioner is not named in the FIR and his name has
transpired in this in course of investigation on the basis of being



owner of the mobile no. 6299188445 and the CDR shows that the petitioner was in touch with other accused persons. The petitioner has got four criminal antecedents in which he is on bail.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submits that the petitioner is not named in the FIR. It is further submitted that CDR and the mobile record is extracted at paragraph no. 117 of the case diary, which reveals that the petitioner along with other co-accused were in touch with each other. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, 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)

Rajorshi/-

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