

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39423 of 2025

Arising Out of PS. Case No.-425 Year-2024 Thana- JAGDISHPUR District- Bhojpur

Matendar Kumar @ Matendr Kumar S/o- Jitendar Yadav R/o- Anharibag Ps-
Tiyar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta
For the Opposite Party/s : Mr.Kanhiya Kishor

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jagdishpur P.S. Case No. 425 of 2024 dated 12.12.2024 registered for the offences punishable under Sections 190, 191(2), 115(2), 126(2), 303(2), 304(2), 109 and 132 of Bhartiya Nyaya Sanhita.

3. As per the prosecution case, the informant along with police officials seized a motorcycle without number plate. In the meantime, the petitioner and the co-accused, Abhay Yadav came for the release of the said motorcycle, the informant was not ready for releasing the seized motorcycle. Thereafter, the petitioner and the co-accused, Abhay Yadav went to the shop



of Champaran Meat house and came along with 13-14 persons and attacked the three constables, thereafter the petitioner and the co-accused persons snatched their government pistol. It is further alleged that the co-accused, Lallu Samrat and Anil Kumar @ Anil Yadav snatched the mobile phone.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in this case on mere suspicion. There is no specific allegation against the petitioner rather the allegation against the petitioner is general and omnibus in nature. It is further submitted that the injuries of the injured are stated to be simple in nature. Nothing has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The co-accused person has already been granted regular bail by this Court vide order dated 21.03.2025 passed in Cr. Misc. No. 13976 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the specific allegation of snatching pistol of 9 mm is against the petitioner and the co-accused, Abhay Yadav



and Neeraj Yadav.

6. Considering the aforesaid facts and circumstances of the case as well as the seriousness of allegation against the petitioner and the criminal antecedent of similar nature. It is not fit case for anticipatory bail of the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected and the petitioner is directed to surrender before the Court below concerned within six weeks from the date of this order and pray for regular bail, the learned Court below may consider the prayer for regular bail of the petitioner in accordance with law and on its own merits without being prejudiced by this order.

7. This application is rejected.

(Chandra Prakash Singh, J)

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