

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61026 of 2025**

Arising Out of PS. Case No.-62 Year-2020 Thana- MAIRWAN District- Siwan

Kallu Yadav @ Kallu @ Sandip Kumar Yadav S/O Ashok Yadav @ Awadhesh
Yadav Resident of Village- Mishroli, Titara P.S.- Mairwa, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ayush Kumar

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

- 2 10-09-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Mairwa Police Station Case No. 62 of 2020, dated 24.02.2020, disclosing offences punishable under Section 394 of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that on 23.02.2020, at about 06:30 PM, while the informant was returning from the market along with his father on a motorcycle and reached near Tetar Baba Temple on Nautan-Titara Road, three persons on a motorcycle overtook them, due to which the informant and his father fell down. Thereafter, the three miscreants



abused them, assaulted them and snatched the motorcycle of the informant and when the informant protested, one of the miscreants took out a pistol and fired upon him, and the bullet hit him just above the knee of the left leg. The First Information Report has been registered against unknown.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely on suspicion. He further submits that the petitioner is not named in the First Information Report and his name has transpired on the basis of the confessional statement of co-accused Prince Yadav, who has disclosed the involvement of the petitioner in the alleged occurrence.
5. I have heard learned counsel for the parties and have perused the material available on record, including the impugned order.
6. From perusal of the impugned order, it transpires that the petitioner has criminal antecedent and he is accused in two other criminal case and further co-accused, Prince Yadav, who was arrested in connection with the present case, has disclosed, in his confessional statement, the



active involvement of the petitioner in the alleged offence.

7. Considering the above, I do not find any reason to differ with the findings arrived at by the learned District Additional Sessions Judge-IX, Siwan, inasmuch as the case is under investigation, wherein the custodial interrogation of the petitioner may be necessary based upon the material collected by the police during course of investigation. As such, I am not inclined to grant anticipatory bail to the petitioner.
8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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