

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19992 of 2026

Arising Out of PS. Case No.-200 Year-2023 Thana- MURLIGANJ District- Madhepura

Anil Yadav Son of Late Narayan Yadav Resident of Village- Pokhram Ward
No. 3, P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Ms. N.K. Agarwal, Sr. Advocate. Mr. Uday Chand Prasad, Advocate. Ms. Pooja Prasad, Advocate.
For the Opposite Party/s :	Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 02-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Murliganj P.S. Case No. 200 of 2023 registered for the offence punishable under Sections 341, 342, 386, 302, 120B, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that the informant, along with her husband, was going to Murliganj on his bike, and as soon as they reached about 1.5 km from their house in the village of Tilkoda, near the canal, they saw that the petitioner, Baua Yadav, Shravan Kumar, Vijay Kumar, Sunil Verma, Nitish Kumar, and others, being armed with weapons in their hands, surrounded the husband of the informant. The informant and her husband got down from the bike, and it is further alleged that Anil



Yadav (the petitioner) fired, which hit the chest of the informant's husband, and after that, Baua Yadav and Nitish Kumar also fired, which hit in different parts of the body.

4. Learned counsel for the petitioner submits that earlier the bail petition of the petitioner was rejected by the learned coordinate Bench of this Court vide order dated 18.06.2025 passed in Cr. Misc. No. 13060 of 2025. He further submits that similarly situated co-accused namely, Nitish Kumar @ Boua Yadav has been granted bail by the learned coordinate Bench of this Court vide order dated 07.11.2025 passed in Cr. Misc. No. 54044 of 2025.

5. Learned counsel for the petitioner has further submitted that from perusal of the post-mortem report, it is clear that the doctor conducting autopsy of the deceased have found only two entry wounds, whereas there is an allegation that three gunshots were fired at the deceased. He also submits that this goes to show that the informant is not an eye witness to the said occurrence. He further submits that from perusal of the report of the learned trial court, it is clear that out of 14 witnesses, a total of 6 witnesses have been examined in this case. He further submits that the petitioner is languishing in judicial custody since 17.02.2026.

6. Learned APP for the State has further submitted that



the petitioner is the main assailant in the present case. He has also relied on a judgment of Hon’ble Apex Court in the case of **X Vs. State of Rajasthan & Anr passed in SLP(Criminal) No. 13378 of 2024** wherein in para- ‘14’, Hon’ble Apex Court has held which is being quoted hereunder:-

14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail at this stage, however, he may renew his prayer for bail after six months if the trial is not concluded or after the examination of the informant if he does not support the case of the prosecution, whichever is earlier.

8. Accordingly, the application stands rejected.

(Ashok Kumar Pandey, J)

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