

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12711 of 2025

Arising Out of PS. Case No.-29 Year-2021 Thana- KAJRAILI District- Bhagalpur

Mithilesh Yadav S/o Anirudh Yadav @ Anirudh @ Anurudh Yadav Resident
Of Village- Naya Tola, Simaria, Ps- Kajraili, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 14-05-2025 Heard Mr. Raushan Kumar, learned counsel for the
petitioner and Mr. Bharat Bhushan, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Kajraili P.S. Case No. 29 of 2021 for the offence under sections 341, 323, 448, 307, 354(B), 379 and 34 of the I.P.C. lodged on 06.04.2021 by the informant, Ghosh Yadav.

3. As per the prosecution story, the informant alleged that armed variously, the accused persons stormed his house and after abuse, assaulted. The allegation is that:

(i). Visnudeo Yadav assaulted by ‘Garasa’ on the head of the informant.

(ii) Anirudh Yadav assaulted by ‘Sawal’ on his back.

(iii) Petitioner, Mithilesh Yadav abused/assaulted.



4. He became unconscious, the locals came, the allegation of outraging the modesty and taking away the amount are also there. Injured was taken to the Hospital. This led to the FIR.

5. Learned counsel for the petitioner submits that a perusal of the FIR would show that the specific allegation is against Anirudh Yadav and Vishnudeo Yadav, omnibus allegation of assault is against this petitioner, he has no criminal antecedent and is a student.

6. Learned APP opposes the prayer submitting that allegation of assault is also on the petitioner.

7. Taking into account the submissions of the parties as also that the petitioner has no criminal antecedent nor there is any direct allegation which is on Vishnudeo Yadav and Anirudh Yadav, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Kajraili P.S. Case No. 29 of 2021 subject to



the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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