

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26694 of 2025

Arising Out of PS. Case No.-218 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

1. Mithlesh Yadav @ Mithlesh Kumar S/O Kailash Yadav R/O Village- Murla Math, P.S.- Makhdumpur, Tehta, Distt.- Jehanabad
2. Mantu Yadav @ Mantu Kumar S/O Mithlesh Yadav R/O Village- Murla Math, P.S.- Makhdumpur, Tehta, Distt.- Jehanabad
3. Pintu Kumar @ Pintu Yadav S/O Mithlesh Yadav R/O Village- Murla Math, P.S.- Makhdumpur, Tehta, Distt.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Makhdumpur P.S. Case No. 218 of 2024 dated 06.05.2024,
instituted for the offence punishable under Sections 448, 341,
323, 354, 379 and 504/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, on
27.04.2024 at about 01:00 am, the petitioners armed with pistol
and weapons entered into the house of informant and began to
abuse and assault the informant. It is further alleged that



petitioner no. 1 caught the hair of the informant and dragged her in the courtyard. The daughters of informant were also assaulted by the petitioners. It is also alleged that Rs. 1,00,000/-, which was kept in a box & a Silver Hasuli were taken by petitioner no. 2 & 3 respectively.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioner no. 1 is the elder brother of the husband of the informant and petitioner nos. 2 & 3 are sons of petitioner no. 1. It is also submitted that the allegation of assault by the petitioners has not been proved as there is no injury report available on record. It is further submitted that there is a land dispute between the parties due to which the petitioners have been falsely made accused this case. It is next submitted that petitioner no. 2 is first cousin of daughter of informant. Lastly, it has been submitted that the petitioner no. 1 has one criminal case against him whereas petitioner nos. 2 & 3 have two criminal cases against each of them.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Makhdumpur P.S. Case No. 218 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate-I, Jehanabad, subject to condition as laid down under Section 482(2) of the B.N.S.S. as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(Khatim Reza, J)

Sankalp/-

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