

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28866 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- Kurth District- Arwal

Mithlesh Yadav S/O Late Sulendra Yadav Resident of Village- Jai Bigha, P.S-
Kurtha, Distt.- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Kurtha
P.S. Case No. 215 of 2024 instituted for the offence under
Sections 115(2), 117(2), 109, 303(2), 352 & 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, petitioner and other co-
accused persons, armed with lathi and iron rod, assaulted the
husband of the informant, causing serious injuries to him.
Family members of the informant were also assaulted.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 11-02-2025. Petitioner
bears two criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. As per the FIR, accusation against the petitioner is of assaulting the informant by means of iron rod. It is submitted that only one injury was found, which falsify the prosecution case. Injury is reserved. There is land dispute between the parties and they are agnates. Other co-accused has been granted bail by this Court vide order dated 08-01-2025, passed in Cr. Misc. No. 89067 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kurtha P.S. Case No. 215 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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