

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29983 of 2025

Arising Out of PS. Case No.-474 Year-2023 Thana- CHANDAUTI District- Gaya

1. Mithilesh Yadav @ Mithlesh Kumar S/o Late Nanak Yadav @ Nanhak Yadav Resident of Village- Jagarnathpur, Police Station- Chandauti, Distt.- Gaya
2. Rajesh Yadav S/o Late Nanak Yadav @ Nanhak Yadav Resident of Village- Jagarnathpur, Police Station- Chandauti, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar
For the Opposite Party/s : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-05-2025 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 Chandauti Police Station Case No. 474 of 2023, disclosing offences under Sections 447, 448, 341, 323, 307, 504, 34 of the Indian Penal Code and Sections 25(1-b)A, 26, 27, 35 of the Arms Act.

3. As per the prosecution case, on 17.09.2023, at 6:00 PM, petitioners entered informant's house and began abusing him over a past dispute. During the altercation, petitioner no. 1 shot Ritu Raj in the head by means of pistol. Urmila Devi, the informant's aunt, raised an alarm, caught



Mithilesh, and snatched the pistol but was also assaulted too. Villagers gathered as the accused fled. Police arrived, took possession of the pistol, and Ritu Raj was taken to a government hospital for treatment.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to village politics. There is land dispute between the parties. Both the petitioners and informant are own gotiya. A counter case has also been lodged by the side of the petitioners bearing Chandauti P.S. Case No. 477 of 2023 in which petitioner no. 1 and his wife Lalita Devi were brutally assaulted by the side of the informant and others. No country made pistol and/or cartridges have been recovered from the conscious possession of the petitioners. The injury caused to the informant is simple in nature.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioners are having no criminal antecedent and the injury caused to the informant is simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of



their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Chandauti Police Station Case No. 474 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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