

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48479 of 2025

Arising Out of PS. Case No.-361 Year-2020 Thana- WAJIRGANJ District- Gaya

Mithalesh Yadav S/o Barhan Yadav Resident of Village- Siri, Police Station-
Wazirganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Wazirganj P.S. Case No. 361 of 2020 dated 03.08.2020,
instituted for the offence punishable under Sections 147, 148,
149, 323, 307, 302, 504, 506, 324 of the Indian Penal Code.

3. The prosecution case, in short, is that on
02.08.2020 at 09:00 pm, due to land dispute, the petitioner along
with other co-accused persons armed with lathi, danda and
khanti came to the house of the informant and assaulted his
father Badri Yadav, who succumbed to the injury. It is also
alleged that in the said occurrence, the informant's brothers
Vinod Yadav, Nanhak Yadav, Rajkumar Yadav and Bhabhu
Munni also got seriously injured.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that FIR has been lodged against 11 named accused persons including the petitioner. There are general and omnibus allegation against all the accused persons of causing assault on the deceased. It is alleged that in the said occurrence, the father of the informant was assaulted by all the accused and he succumbed to the injuries. Cause of dispute is said to be a piece of land. It is further stated that similarly situated co-accused person namely, Madan Yadav & Upendra Yadav have been granted bail *vide* order dated 21.06.2023 passed by this court in Criminal Miscellaneous No.32243 of 2023. Co-accused persons namely, Uday Yadav, Mithlesh Yadav & Vikash Yadav have also been granted bail *vide* order dated 21.06.2023 passed in Criminal Miscellaneous No. 32324 of 2023. Lastly, it has been submitted that the petitioner is in custody since 23.05.2025, he has no criminal antecedents and charge-sheet has been submitted in the case.

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, let



the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st, Gaya in Wazirganj P.S. Case No. 361 of 2020.

(Khatim Reza, J)

Sankalp/-

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