

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49540 of 2025**

Arising Out of PS. Case No.-40 Year-2025 Thana- BITHAN District- Samastipur

Jitendra Yadav S/o Bangali Yadav R/o Village-Morkahi, P.S.- Bithan, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Bithan
P.S. Case No. 40 of 2025 instituted for the offences under
Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2),
109, 303(2), 74, 352, 351(2), 351(3) of the Bharatiya Nyaya
Sanhita, 2023.

3. Prosecution case, in short, is that the accused
persons including the petitioner unlawfully entered the
informant's house, assaulted him and others with weapons,



looted valuables and cash and also threatened to kill him.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The only specific allegation against the petitioner is that he assaulted the informant with the butt of the pistol. Learned counsel further contended that the injuries sustained are simple in nature. Learned counsel further submitted that both the parties are *gotias*. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.05.2025 and has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, nature of injury sustained as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Bithan P.S. Case
No. 40 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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