

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60905 of 2025

Arising Out of PS. Case No.-230 Year-2025 Thana- BIKRAMGANJ District- Rohtas

-
1. Anil Yadav @ Anil Kumar Singh Shri Niwas Yadav @ Shri Niwas Singh @ Shrinivas Singh R/o Village - Marauna, P.S. - Bikramganj, District - Rohtas.
 2. Mithilesh Kumar @ Mithilesh Yadav Son of Sanjay Yadav R/o Village - Marauna, P.S. - Bikramganj, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, Adv
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-11-2025 Heard the parties.

2. At the outset, it is submitted that petitioner no. 1 namely Anil Yadav @ Anil Kumar Singh was apprehended during the pendency of present petition and, therefore, his prayer of anticipatory bail now becomes infructuous.

3. In view of aforesaid submission anticipatory bail of petitioner no. 1 namely Anil Yadav @ Anil Kumar Singh stands dismissed being infructuous.

4. Now present petition survives against petitioner no. 2 namely Mithilesh Kumar @ Mithilesh Yadav only.

5. The petitioner is named in the F.I.R. and apprehended his arrest in connection with Bikramganj P.S. Case No. 230 of 2025 registered for the offences punishable under Section



329(3), 126(2), 115(2), 64, 352, 351(2) and 3(5) of the BNS.

6. As per FIR, father of petitioner namely Sanjay Yadav committed rape upon informant aged about 50 years on intervening night of 07.04.2025.

7. Learned counsel appearing on behalf of the petitioner submitted that co-accused Anil Yadav is accused of murder case of the husband of informant, where this petitioner is one of the *pairvikar*. It is submitted that even as per FIR the thrust of allegation as to commit rape upon informant is against co-accused Sanjay Yadav, who is in judicial custody and when this matter was reported to petitioner and his family certain scuffling took place for which he was made accused with the present case. It is submitted that allegation *qua* abusing by caste name is also appearing very much general and omnibus. While concluding the argument learned counsel submitted that petitioner is a man of clean antecedent.

8. Learned APP duly assisted by learned counsel for the informant, while opposing the prayer for anticipatory bail submitted that there are other criminal case pending between the parties. It is submitted that criminal antecedent of petitioner be verified.

9. In view of the facts and circumstances and by taking



note of the fact as allegation *qua* committing rape is available against father of this petitioner, whereas allegation *qua* physical assault and abusing by caste name appears very much general and omnibus, accordingly the petitioner above named, in the event of his arrest or surrender before the learned trial court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Bikramganj, (Rohtas)/concerned trial court where the case is pending in connection with Bikramganj P.S. Case No. 230 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS with further condition:-

(a). Learned Trial Court is directed to verify the criminal antecedent of petitioner and if he found in any of the case contrary to the submission as made on affidavit, his bail bond shall not be accepted.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

