

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71976 of 2025

Arising Out of PS. Case No.-513 Year-2025 Thana- GARKHA District- Saran

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Mithlesh Kumar @ Mithilesh Rai @ Mithilesh Kumar Son of Asharphi Prasad Yadav @ Asharphi Rai Resident of village - Garkha, P.O. and P.S.- Garkha, District - Saran at Chapra 841311.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 76, 303(2), 324(4), 324(5), 352, 3(5) of the Bharatiya Nyaya Sanhita.

3. Prosecution case, in brief, is that on 07.07.2025 at about 6:10 PM, all the F.I.R. named accused persons, including this petitioner, gathered on *Khatiyani* land of the informant and started construction work in spite of proceeding under Section 163 BNSS against the accused persons. On objection, accused persons abused informant and assaulted her by means of *lathi*, *danda*, bricks, stones.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence. Allegation of assault is general and omnibus and there is no specific allegation of overt act against petitioner. Injuries sustained by the injured are simple in nature. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering backdrop of the case, nature of accusation, injury and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Saran at Chapra in connection with Garkha P. S. Case No. 513 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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