

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78166 of 2025**

Arising Out of PS. Case No.-299 Year-2024 Thana- FATEHPUR District- Gaya

Mithlesh Yadav @ Mithlesh Kumar Son of Rajendra Prasad Yadav @  
Rajendra Yadav Resident of Village - Chhotaki Kuhari, P.S.- Fatehpur,  
District - Gaya (Bihar).

1. ... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Sanjay Kumar Sharma, Advocate  
For the Opposite Party : Mr. Sanjay Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      28-11-2025                      Heard Mr. Sanjay Kumar Sharma, learned Advocate  
  
for the petitioner and Mr. Sanjay Kumar Singh, learned  
  
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection  
with Fatehpur P.S. Case No. 299 of 2024, registered for the  
offences punishable under Sections 354(B), 147, 148, 149, 341,  
323, 325, 307 and 379 of the Indian Penal Code.

3. Allegedly, on the fateful day, while the brother of  
the informant along with his aunt were going, in the meanwhile,  
the accused persons including the petitioner surrounded them  
and brutally assaulted. On *hulla* being raised, when the family  
members of the informant reached there, they were also  
assaulted by the petitioner and others. The accused persons also  
snatched the valuables.



4. Learned Advocate for the petitioner submitted that the parties are own agnates and in fact on account of some previous dispute, they entered into a free fight resulting into institution of case and counter case bearing Fatehpur P.S.Case No. 300 of 2024 instituted against the informant's side. In the aforesaid incidence, the persons of both the sides have sustained injuries. The father of the informant has sustained a grievous injury, but the same is not attributable to the petitioner. The other co-accused persons facing identical allegations have been allowed the privilege of anticipatory bail by this Court vide orders dated 14.05.2025 and 20.08.2025 passed in Cr. Misc. Nos. 6892 of 2025 and 34598 of 2025 respectively. The petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application.

6. Regard being had to the submissions made by the learned Advocates for the respective parties and considering the accusation against the petitioner *qua* the injury sustained to the injured; besides the fact that the case of the petitioner is based on parity with those who have been accorded the privilege of anticipatory bail; besides the fair antecedent of the petitioner, let



the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-X, Gaya, in connection with Fatehpur P.S. Case No. 299 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

**(Harish Kumar, J)**

Pawan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

