

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3486 of 2026

Arising Out of PS. Case No.-206 Year-2024 Thana- BIHARIGANJ District- Madhepura

Mithilesh Kumar S/O Sri Surendra Yadav R/O Village- Gorpar, Gamail, P.S-
Bihariganj, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 28-01-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bihariganj P.S. Case No. 206 of 2024, F.I.R dated 18.06.2024 registered for the offences punishable under Sections 498A, 34 of the Indian Penal Code.

3. According to prosecution case, the informant married *Dilkhush Kumar* on 24.02.2023 according to Hindu rites. After some time, all accused persons, including the petitioner, allegedly subjected her to cruelty and abuse. It is alleged that the petitioner along with *Surendra Yadav* attempted to establish physical relations with her. On her complaint to her husband, the accused allegedly demanded an Apache motorcycle and Rs. 5 lakh from her parental family and



threatening to kill her if the demand was not fulfilled. Upon expressing her father's inability due to poverty, she was allegedly assaulted and driven out of the matrimonial home. It is further alleged that *Dilkhush Kumar* repeatedly attempted to kill her and later threatened her father and others who came to mediate.

4. Learned counsel for the petitioner submits that this petitioner is the elder brother-in-law of the informant, and he is living separately from the house where the informant and his husband is residing. It has next been submitted that the Divorce Case No. 13 of 2025 is also said to have been filed by the informant and got dismissed. While this petitioner is living separate house away from the house of the informant, and there is no concern with the day-to-day affairs of the informant and his husband. Counsel for the petitioner submits that the petitioner will abide by any conditions which will be imposed in case of the privilege of anticipatory bail.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances and the petitioner has clean antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the



petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate Udakishunganj, District- Madhepura in connection with Bihariganj P.S. Case No. 206 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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