

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3891 of 2026

Arising Out of PS. Case No.-122 Year-2025 Thana- SARE District- Nalanda

1. Karu Yadav S/o Late Dwarika Yadav R/o Village- Gilani, PS- Sare, Distt- Nalanda
2. Mahendra Yadav @ Abhishek Yadav @ Abhishek Kumar S/o Karu Yadav R/o Village- Gilani, PS- Sare, Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 12466 of 2026

Arising Out of PS. Case No.-122 Year-2025 Thana- SARE District- Nalanda

Mithlesh Yadav @ Mithlesh Kumar @ Mithilesh Yadav @ Mithilesh KUMar
Son of Karu Yadav R/o Village - Gilani, P.S. - Sare, Distt. - Nalanda at
Biharsharif.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 3891 of 2026)

For the Petitioner/s	:	Mr. Uday Bhan Singh, Advocate
For the State	:	Mr. Ram Sevak Choudhary, A.P.P.
For the Informant	:	Mr. Pankaj Kumar, Advocate
		Mr. Niranjann Kumar, Advocate

(In CRIMINAL MISCELLANEOUS No. 12466 of 2026)

For the Petitioner/s	:	Mr. Uday Bhan Singh, Advocate
For the Informant	:	Mr. Pankaj Kumar, Advocate
		Mr. Sonu Kumar, Advocate
		Mr. Niranjann Kumar, Advocate
For the State	:	Mr. Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 06-05-2026

Heard learned counsel for the parties concerned.

2. The petitioners apprehend their arrest in connection



with Sare P.S. case no. 122 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109(1) and 3(5) of Bharatiya Nyaya Sanhita and Section 27 of Arms Act.

3. As per the First Information Report, on 26.08.2025, a Panchayati was going on between the informant's father-in-law and her cousin father-in-law in front of the villagers. In the meanwhile, the side of the petitioners started abusing and assaulting the informant's side. Petitioner No. 1, namely, Karu Yadav (petitioner in Cr. Misc. No. 3891 of 2026) caught hold of the informant's husband, Sube Lal Yadav, from behind, and petitioner No. 2, namely Mahendra Yadav (petitioner in Cr. Misc. No. 3891 of 2026), ordered his younger brother to fire upon the informant's husband. Thereafter, the wife of Mithilesh Yadav (petitioner in Cr. Misc. No. 12466 of 2026) handed over a country-made pistol to Mithilesh Yadav, who fired upon the informant's husband, causing gunshot injury in the chest of her husband.

4. Learned counsel for the petitioners submits that both the parties are closely related and co-sharers. There is previous land dispute between them. Both the parties are residing in the same ancestral house, and during course of discussion relating to the land dispute, it was Mithilesh Yadav



(petitioner in Cr. Misc. No. 12466 of 2026), who fired upon the informant's husband. Due to the previous dispute, the entire family members have been made accused in the present case, and the only allegation against Karu Yadav and Mahendra Yadav is that they caught hold of the informant's husband and ordered him to be killed, respectively. The petitioner Nos. 1 and 2, namely, Karu Yadav and Mahendra Yadav (petitioners in Cr. Misc. No. 3891 of 2026), are not the assailants, and as per the FIR, the assailant is Mithilesh Yadav (petitioner in Cr. Misc. No. 12466 of 2026).

5. Learned counsel for the informant vehemently opposed the prayer for bail and submits that all the petitioners, namely, Karu Yadav, petitioner no. 1 and Mahendra Yadav, petitioner no. 2 (petitioners in Cr. Misc. No. 3891 of 2026), and petitioner, namely, Mithilesh Yadav (petitioner in Cr. Misc. No. 12466 of 2026), with common intention, caught hold of the informant's husband and ordered him to be killed, upon which petitioner Mithilesh Yadav, fired upon the informant's husband. Petitioner No. 1, Karu Yadav (petitioner in Cr. Misc. No. 12466 of 2026), is having criminal antecedents of three cases.

6. In reply, learned counsel for the petitioners submits that the injured informant's husband, Sube Lal Yadav, who



sustained bullet injury, is having 11 criminal antecedents, and the cases against petitioner no. 1, namely, Karu Yadav and Sube Lal Yadav are related to family disputes between them and land disputes among the village people.

7. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegations against Karu Yadav and Mahendra Yadav (petitioners in Cr. Misc. No. 3891 of 2026), I am inclined to grant privilege of anticipatory bail to the petitioners, namely, Karu Yadav and Mahendra Yadav.

8. Accordingly, the prayer for anticipatory bail is allowed with respect to the petitioner Nos. 1 and 2, namely, Karu Yadav and Mahendra Yadav (petitioners in Cr. Misc. No. 3891 of 2026).

9. Let the petitioner Nos. 1 and 2, namely, Karu Yadav and Mahendra yadav (petitioners in Cr. Misc. No. 3891 of 2026), above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class-Xth, Nalanda, Bihar Sharif, in connection with Sare Police Station Case No.



122 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

10. However, considering the nature of the allegation against Mithilesh Yadav and he is the main assailant, I am not inclined to grant privilege of anticipatory bail to the petitioner, namely, Mithilesh Yadav (petitioner in Cr. Misc. No. 12466 of 2026).

11. Accordingly, the prayer for anticipatory bail is rejected with respect to petitioner, namely, Mithilesh Yadav (petitioner in Cr. Misc. No. 12466 of 2026).

(Anil Kumar Sinha, J)

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