

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6418 of 2026

Arising Out of PS. Case No.-230 Year-2025 Thana- PIPRA District- Supaul

1. Vipin Kumar @ Vipin Yadav, aged about 38 years, Male, Son of Triveni Yadav, Resident of Village - Koshlipatti, Ward No. 11, Police Station - Pipra, District - Supaul.
2. Mithilesh Yadav @ Mithlesh Yadav @ Mithilesh Kumar, aged about 30 years, Male, Son of Triveni Yadav, Resident of Village - Koshlipatti, Ward No. 11, Police Station - Pipra, District - Supaul.
3. Triveni Yadav, aged about 68 years, Male, Son of Late Parmeshwari Yadav, Resident of Village - Koshlipatti, Ward No. 11, Police Station - Pipra, District - Supaul.
4. Shiv Yadav @ Shiv Shankar Yadav, aged about 65 years, Male, Son of Manejar Yadav @ Kishun Dyal Yadav, Resident of Village - Koshlipatti, Ward No. 11, Police Station - Pipra, District - Supaul.
5. Brahamdev Yadav, aged about 39 years, Male, Son of Shiv Yadav @ Shiv Shankar Yadav, Resident of Village - Koshlipatti, Ward No. 11, Police Station - Pipra, District - Supaul.
6. Santosh Yadav @ Santosh Kumar, aged about 32 years, Male, Son of Ravi Yadav, Resident of Village - Koshlipatti, Ward No. 11, Police Station - Pipra, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 19-03-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection
with Pipra P.S. Case No. 230 of 2025 instituted for the offences
punishable under Sections 191(2), 115(2), 109, 352, 351(2) of
the BNS and Section 27 of the Arms Act.



3. Allegation against the petitioners is to have assaulted by means of *lathi*, *danda*, *iron rod* and also gun shot fired upon the informant and his family members, due to which, they sustained gun shot injury on the left leg of the informant and on the right leg of his cousin.

4. Learned counsel for the petitioners submits that petitioners have committed no offence and have falsely been implicated in this case. He submits that there is land dispute is going on between the parties and the instant case is a counter blast of Pipra P.S. Case No. 234 of 2025. He next submits that the injured Pramod Sharma and Birendra Sutihar have received gunshot injuries but the doctor opined injuries are to be simple in nature. He lastly submits that petitioner nos. 1 to 3, 5 and 6 have got clean antecedent as stated in para 3 of the petition but petitioner no. 4 has got two criminal antecedents.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioners and submits that there is specific allegation against petitioner nos. 2 and 5, namely, Mithilesh Yadav @ Mithlesh Yadav @ Mithilesh Kumar and Brahamdev Yadav, for committing the said occurrence.

6. From perusal of the FIR, case diary, injury report and the impugned order of the learned District and Additional



Sessions Judge-VIII, Supaul dated 15.12.2025, it appears that on the basis of written report of the informant, namely, Pramod Sharma, FIR has been registered under Sections 191(2), 115(2), 109, 352, 351(2) of the BNS and Section 27 of the Arms Act against the above named petitioners and the allegation against the petitioners is to have assaulted by means of *lathi*, *danda*, *iron rod* and also gun shot fired upon the informant and his family members, due to which, they sustained gun shot injury. From perusal of the injury report as mentioned in paras- 45, 46, 47 and 48, it also appears that on the basis of informant-cum-injured registered an FIR against 13 co-accused persons. It also appears that the specific allegation of assault by fire arm upon the informant (Pramod Sharma and cousin namely Birendra Sutihar) against petitioner no.2, namely Mithilesh Yadav @ Mithlesh Yadav @ Mithilesh Kumar and Petitioner No. 5, namely, Brahamdev Yadav The allegation against other accused persons assaulted by means of *lathi* and *danda*, which are said to be simple in nature.

7. In view of the aforesaid facts and circumstances of the case, let the petitioner nos. 1, 3, 4 and 6, namely, Vipin Kumar @ Vipin Yadav, Triveni Yadav, Shiv Yadav @ Shiv Shankar Yadav and Santosh Yadav @ Santosh Kumar be



released on anticipatory bail, in the event of their arrest or surrender before the trial Court within a period of six weeks from today, upon furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Pipra P.S. Case No. 230 of 2025, subject to the conditions as laid down in Section 482(2) of the BNSS.

8. So far as the petitioner nos. 2 and 5, namely Mithilesh Yadav @ Mithlesh Yadav @ Mithilesh Kumar and Brahamdev Yadav are concerned, there is direct allegation of gun shot fire upon the informant and his cousin, hence, I am not inclined to grant anticipatory bail to them.

9. Accordingly, the prayer for anticipatory bail of petitioner nos. 2 and 5, namely Mithilesh Yadav @ Mithlesh Yadav @ Mithilesh Kumar and Brahamdev Yadad is hereby rejected.

(Ramesh Chand Malviya, J)

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