

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22350 of 2026

Arising Out of PS. Case No.-226 Year-2020 Thana- MADHUBANI TOWN District-
Madhubani

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1. Mahesh Yadav S/o Late Yogendra Yadav R/o Village - Kotwali Chowk,
Ward No. 42, P.S - Madhubani Town, District - Madhubani
 2. Chhotu @ Chandeshwar Yadav @ Chhotu Yadav @ Chandeshwar Kumar
S/o Shri Nagendra Yadav R/o Village - Kotwali Chowk, Ward No. 42, P.S -
Madhubani Town, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Alias Ashok Karn, Advocate

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 06-05-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Madhubani Town P.S. Case No.226 of 2020, F.I.R dated 01.09.2020 registered for the offences punishable under Sections 147, 149, 323, 341, 337, 338, 324, 325, 504 506 and 509 of the Indian Penal Code.

3. According to prosecution case, on 31.08.2020 at about 11:00 P.M., the accused persons, in an intoxicated state, abused her and, upon protest, assaulted her and her family members with lathi, danda, and bricks, causing serious injuries.



Her brother-in-law, Mahesh Bari, became unconscious after sustaining a grievous head injury, while another family member, Anil Kumar Bari, suffered injuries including a blade injury on his neck causing heavy bleeding. The injured persons were taken by villagers to Sadar Hospital, Madhubani, where they underwent treatment.

4. Learned counsel for the petitioners submits that the allegations are general and omnibus in nature and the Police registered a case under the aforesaid section but upon investigation, the Police has not submitted the charge-sheet under Section 307 of the I.P.C. It has further been submitted that the petitioners are innocent and have no criminal antecedent. It has further been submitted by referring to charge-sheet, which have been produced during the course of hearing, has been kept on record that the Court concerned differing with the same has taken cognizance without there being any materials.

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

6. Considering the aforesaid facts and circumstances the allegations are general and omnibus in nature and the Police has not submitted the charge-sheet under Section 307 of the I.P.C. Accordingly, this Court is inclined to grant the privilege of



anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their 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 C.J.M., Madhubani, in connection with Madhubani P.S. Case No.226 of 2020 , 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/known of the petitioner(s) who shall provide official document/personal affidavit 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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