

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1167 of 2026**

Arising Out of PS. Case No.-248 Year-2025 Thana- PUNAURA District- Sitamarhi

Mukesh Yadav S/O Late Ramu Yadav R/O Village- Veerta Tola Punaura,
Ward No. 6, P.S- Punaura, Distt.- Sitamarhi.

... .. Appellant/s

Versus

1. The State of Bihar
2. Vishwanath Baitha S/O Brahmdev Baitha R/O Village- Veerta Tola Punaura,
Ward No. 6, P.S- Punaura, Distt.- Sitamarhi.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ritesh Kumar Narain Singh, Advocate
For the State	:	Mr. Binay Krishna, SPP
For the Resp No.2	:	Mr. Pushpendra Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 02-07-2026 Heard Mr. Ritesh Kumar Narain Singh, learned
counsel for the appellant, Mr. Pushpendra Kumar Singh, learned
counsel appearing on behalf of the Respondent No. 2 as well as
Mr. Binay Krishna, learned Spl.P.P. for the State.

2. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for regular bail by order dated 20.02.2026
passed by the learned Court of 1st Additional Sessions Judge-
cum-Spl. Judge (SC/ST(POA) Act), Sitamarhi in connection
with Punaura P.S. Case No. 248 of 2025, F.I.R. dated
07.12.2025 registered under Sections 303(2), 329(4), 332(a),
191(2), 190, 126(2), 115(2), 118(1), 109, 352 of the Bharatiya
Nyay Sanhita and Sections 3(1)(r) (s) of the Scheduled Castes



and Scheduled Tribes Act.

3. According to the prosecution case, the informant alleged that on 05.12.2025 at about 11.00 P.M, the appellant along with other accused persons entered his house and assaulted his parents by means of axe, rod and sticks and demanded money allegedly received from land sale.

4. Learned counsel for the appellant submits that appellant has clean antecedent and he has falsely been implicated in the present case. He further submits that there is no specific allegation of assault or overt act against this appellant rather the allegation against him are general and omnibus in nature. He next submits that specific allegation of assault is against co-accused, Mukesh Yadav and Anil Yadav that they have assaulted the father and mother of the informant and both received injury but it appears that the injury of one person is simple in nature and another one is grievous in nature. He further submits that the police, after investigation, submitted charge sheet against the appellant. The appellant is in custody since 29.01.2026.

5. Learned counsel appearing on behalf of the Respondent No. 2 as well as learned Special Public Prosecutor for the State have vehemently opposed the prayer for bail of the



appellant and submit that appellant has participated in the present crime in question.

6. Considering the facts and circumstances of the case as well as period of custody of the appellant, let the appellant, above named, 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 learned Court of 1st Additional Sessions Judge-cum-Spl. Judge (SC/ST(POA) Act), Sitamarhi in connection with Punaura P.S. Case No. 248 of 2025, with other following conditions:-

i. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant have concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

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