

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29560 of 2026

Arising Out of PS. Case No.-54 Year-2025 Thana- Gidhaur District- Jamui

Mithilesh Kumar @ Gunjan Kumar Son of Rajendra Mandal Resident of
Village - Mahuligarh P.O. and P.S.- Gidhour Dist.- Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Arjun Prasad
For the Opposite Party/s	:	Mr. Bharat Bhushan
For the Informant	:	Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
16.01.2026 in connection with Gidhour P.S. Case No. 54 of
2025 for the offences punishable under Sections 126(2), 115(2),
109, 303(2), 118(1), 118(2), 351, 352 and 3(5) of BNS.

3. The case of the prosecution, in brief, is that
informant Anita Devi alleges that on dated 24.03.2025 at about
10:00 am, she alongwith her husband Shankar Mandal had gone
to cut bamboo tree of their own share. All of a sudden, the
accused persons namely Mithlesh Kumar, Chandan Kumar,
Rajendra Mandal, Savitri Devi, Guddu Kumar, Sukdeo Mandal,
Sarita Devi, Pappu Kumar Mandal and wife of Chandan Kumar
altogether having armed with Tangi, Khanti and Iron rod
surrounded her and her husband and while abusing objected the
cutting of bamboo tree and threatened to kill them. Meanwhile,



Mithlesh Kumar having armed with Tangi assaulted on the head of the her husband Shankar Yadav due to which her husband sustained head injury and fell down on the ground and when her husband was lying on the ground, the accused Mithlesh Kumar again assaulted him with Tangi due to which he started blood vomiting. Accused Chandan Kumar assaulted her husband on his head with iron rod which hit on the hand of her husband due to which the hand was fractured. When she went to save her husband, Savitri Devi and Sarita Devi caught her and wife of Chandan asked Dharmendra Kumar to kill her, upon which Dharmendra Kumar having armed with iron rod assaulted on her head due to which she sustained head injury and there started bleeding and accused Guddu Kumar strangled her with an intention to kill her due to which she became unconscious and fell down on the ground, meanwhile wife of Chandan snatched away her Mangalsutra and ear ring and the accused persons considering them dead fled away from the spot. By the help of police, the informant and her husband was admitted to Gidhaur government hospital from where they were referred to government hospital Jamui and thereafter considering the critical condition of her husband Shankar Yadav, the doctor referred her husband to Patna.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent. It is next submitted that it appears from the FIR that due to some petty dispute the present occurrence has taken place. It is next submitted there is a case and counter-case between both the parties and there is specific allegation against the petitioner that they have assaulted the husband of the informant by means of *tengari* and the injury sustained by the injured person is grievous in nature. Learned counsel for the petitioner submits that at the spur of the moment the present occurrence has taken place and there is no intention to kill anyone and police after investigation has submitted charge-sheet and the petitioner is in custody since 16.01.2026.

5. The learned Additional Public Prosecutor for State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner and submit that there is direct and specific allegation against the petitioner and the injury inflicted upon the injured person is grievous in nature.

6. Considering the aforesaid facts and circumstances, let the petitioner, 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 the learned ACJM, 1st Class, Jamui in connection with Gidhour P.S. Case No. 54 of



2025, subject to the following conditions:-

i. Petitioner 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 petitioner 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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