

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33504 of 2026

Arising Out of PS. Case No.-36 Year-2026 Thana- MAGADH UNIVERSITY District- Gaya

Mithlesh Yadav S/o Keshar Yadav Resident of Village- Turi Bujurg, P.S.-
Magadh University, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Kant, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

3 27-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Magadh University P.S. Case No. 36 of 2026, registered under
Sections 115(2), 126(2), 117(2), 109, 351(2), 351(3) and 3(5) of
the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. As per the prosecution case, the allegation is that
six persons surrounded and assaulted the informant. Mithilesh
Yadav, the petitioner, is alleged to have opened fire. The bullet,
however, did not hit the informant. The informant further states
that the petitioner thereafter struck him with an iron rod on his
left hand, resulting in a fracture.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in the



present case. He draws attention to the injury report of Parmeshwar Prasad which is on record. The said report does not show any injury on the left hand of the informant. Learned counsel further submits that there is a counter version in which the wife of the informant also sustained injuries and that the cause of the occurrence is attributed to a land dispute between the parties. Petitioner has been in custody since 12.02.2026.

5. Learned APP for the State as well as the informant have vehemently opposed the prayer for bail.

6. This Court has considered the submissions advanced on behalf of the respective parties. The prosecution allegation, as it stands, has arisen out of a land dispute between the parties. The injury report of Parmeshwar Prasad, which is on record, does not corroborate the specific allegation of fracture of the left hand attributed to the petitioner. The counter version, in which the wife of the informant is also stated to have sustained injuries, lends weight to the plea that the occurrence was two-sided and that the role attributed to the petitioner has been overstated. As regards the charge under Section 27 of the Arms Act, the prosecution case itself does not allege that any person was hit by the bullet. The firearm allegation therefore remains uncorroborated at this stage. Taking into account the totality of



circumstances, this Court is of the prima facie opinion that the petitioner has made out a case for bail. This application is accordingly allowed.

7. Accordingly, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, or the concerned court below, in connection with Magadh University P.S. Case No. 36 of 2026.

8. It is made clear that any observation made herein is prima facie in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

Ranjeet/-

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