

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36889 of 2026

Arising Out of PS. Case No.-557 Year-2024 Thana- MADANPUR District- Aurangabad

Mahendra Yadav Son of Sarabdeo Yadav @ Sarapdeo Yadav Resident of
Village - Maya Bigha, P.S.- Madanpur, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-06-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 329(4),
126(2), 115(2), 76, 64, 62, 352 and 351(3) of the BNS and later
on Section 303(2) of the BNS has been added.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that petitioner on 24.12.2024 entered her house with an
intent to commit wrong since she was staying alone in the house
with her children as her husband worked at Delhi but on alarm
her sister-in-law came and petitioner fled away after threatening.
Further, the informant disclosed the occurrence to her husband
who came from Delhi and thereafter the FIR was instituted.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is further submitted that petitioner and the informant are neighbours and are having dispute relating to a passage. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner has been implicated with an allegation that he attempted to commit wrong. It is also submitted that though informant was staying with her children but then she was not alone rather her other family members were also there in the house. It is submitted that it is not the case of the informant that the house was opened and the petitioner entered. It is further submitted that the FIR has been instituted after a delay of six days which also casts an aspersion on the case of the prosecution. It is next submitted that if the privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail



on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Madanpur P.S. Case No. 557 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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