

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42724 of 2026

Arising Out of PS. Case No.-215 Year-2026 Thana- BARH District- Patna

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Mithlesh Yadav @ Mithlesh Kumar @ Mito S/O Budhan Yadav @
Bindeshwar Yadav Resident Of Village- Mogalpura Tola, Chak Daulat, P.s.-
Bakhtiyarpur, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Durgesh Nandan, Advocate
For the Informant	:	Mr. Ranjan Kumar Dubey, Advocate
For the State	:	Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2026 Heard Mr. Durgesh Nandan, learned counsel for the

petitioner, Mr. Ranjan Kumar Dubey, learned counsel for the

Informant and Mr. Zainul Abedin, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
21.03.2026, in connection with Barh P.S. Case No. 215 of 2026,
F.I.R. dated 31.03.2026 registered for the offences punishable
under Sections 126(2), 115(2), 118(1), 109, 351(2), 352 read with
3(5) of the B.N.S., 2023 and Section 27 of the Arms Act, 1959..

3. Allegation against the petitioner is of abusing and
assaulting the informant due to which he sustained injuries on his
body.

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



present case. From perusal of the F.I.R., it appears that due to some previous dispute the present occurrence had taken place. Although, the petitioner is named in the F.I.R. but there is no specific allegation of any assault or overt act or firing attributed against the petitioner rather there is general and omnibus allegation against the petitioner and other co-accused person that they have fired in the air and there is specific allegation of firing is against co-accused person, namely, Mangal @ Santosh Kumar. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 21.03.2026.

5. Learned counsel for the Informant as well as learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner was present at the place of occurrence and apart from that the petitioner carries four more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact that there is no specific allegation of any assault or overt or firing attributed against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.



10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Class, Barh, Patna in connection with Barh P.S. Case No. 215 of 2026, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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)

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