

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42560 of 2026

Arising Out of PS. Case No.-208 Year-2025 Thana- NIMCHAKBATHANI District- Gaya

Mithlesh Yadav @ Mithlesh Prasad S/O Bhagirath Singh Resident of Village-
Dhakna, P.S.- Nimchak Bathani, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Nimchak Bathani P.S. Case No.208 of 2025, FIR dated 15.10.2025, registered for the offence punishable under Sections 103, 80(2), 238, 3(5) of the Bharatiya Nyaya Sanhita and 3, 4 of the Dowry Prohibition Act.

3. As per the FIR, the petitioner, in conspiracy with other family members, is said to have tortured and killed the sister of the informant on the pretext of non-fulfillment of demand for dowry.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is submitted that the petitioner is the father-in-



law of the deceased and was living separately in mess and was not residing with the deceased and her husband. It is further submitted that the allegations are general and omnibus in nature and there is no specific allegation against the petitioner either of demanding dowry from the deceased or the informant at any point of time. Learned counsel further submits that the husband of the deceased has been in judicial custody since 21.02.2026. Lastly, it is submitted that the petitioner has one criminal antecedent.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and taking into account that there is nothing specific against this petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gaya/Successor Court in connection with Nimchak Bathani P.S. Case No.208 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:



(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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