

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49956 of 2026

Arising Out of PS. Case No.-138 Year-2025 Thana- Tilakeshwar District- Darbhanga

1. Shankar Yadav @ Shanka Yadav S/o Jamun Yadav R/o Vill- Simraha, Tole-Akonma, P.s- Tilkeshwar, DIST -Darbhanga
2. Kamlesh Yadav S/o Shankar Yadav R/o Vill- Simraha, Tole-Akonma, P.s- Tilkeshwar, DIST -Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Tilkeshwar P.S. Case No. 138 of 2025 instituted for the offence under Sections 126(2), 127(2), 115(2), 109(1), 74, 303(2), 352, 351(2) and 3(5) of the B.N.S and Section 27 of Arms Act.

3. Prosecution case, in short, is that on 20.11.2025 at 5.00 P.M. while the informant was at his house, in the meantime, all accused persons named in the F.I.R., including the petitioners, surrounded the house of the informant. On the order of co-accused Madan Yadav, co-accused Shanka Yadav, Satto Yadav, Mithilesh Yadav, Subhash Yadav, Pankaj Yadav gave



iron rod, lathi blow upon the informant. It is further alleged that co-accused Mithilesh Yadav gave iron rod blow upon the head of the informant as a result of which the informant became injured and fell down on the ground. When daughter-in-law of the informant Binita Devi came to save her then accused Bhim Yadav along with one of the petitioner Kamlesh Yadav (Petitioner No.1) armed with lathi, danda pulled the informant's daughter-in-law from her house and assaulted her. It is also alleged that one of the accused persons took informant's daughter-in-law to the house of Shankar Yadav (Petitioner No.2) where Petitioner No.2 namely Shankar Yadav, slammed her and climbed upon her chest and pressed it by his leg. It is also alleged that Modan Yadav fired with country made pistol and gave a kick blow.

4. Learned counsel for the petitioner submits that there is previous enmity between the petitioner and the informant and because of that, fifteen persons were named in FIR. It is further submitted that there is no any specific allegation in respect of the petitioners. It has been submitted on behalf of the petitioners that the petitioners have two criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.



6. Considering the aforesaid facts and circumstances of the case and taking into account there is general and omnibus allegation against the petitioner No.2, let the petitioner No.2 Kamlesh Yadav above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Tilkeshwar P.S. Case No. 138 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

7. So far as pre-arrest bail of the petitioner No.1 Shankar Yadav @ Shanka Yadav is concerned, taking into account the nature and gravity of offence and there is direct allegation against the petitioner No.1, this Court is not inclined to grant anticipatory bail to the petitioner No.1 Shankar Yadav @ Shanka Yadav.

8. Accordingly, the prayer for grant of anticipatory bail to the petitioner No.1 is, hereby, rejected.

9. However, if the petitioner No.1 surrenders before the learned court below within a period of six weeks from today



and prays for regular bail, the same shall be disposed of on its
own merit without being prejudiced by this order.

(Alok Kumar, J)

Manish/-
barkha/-

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