

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83726 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- HALSI District- Lakhisarai

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Mahesh Yadav S/O Jago Yadav Resident of vill.- Vajitapur, P.o.- Salaunja,
P.s.- Halsi, Dist.- Lakhisarai, Bihar - 811311

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gautam Yadav S/O Hira Yadav Resident of vill.- Wajdipur, Post- Salaunja,
P.s.- Halsi, Dist.- Lakhisarai, Bihar - 811311

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Minakshi Kumari, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-01-2026 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in case registered for
the offences punishable under Sections 126(2), 115(2), 329(4),
74, 76, 3(5) of the Bharatiya Nyaya Sanhita.

3. Allegation in the F.I.R. is that when wife of the
informant was alone in the house, this petitioner entered the
house and tried to establish physical relation with her. Upon
raising alarm by the sister-in-law of the informant, all the F.I.R.
named accused persons, including this petitioner, assembled and
brutally assaulted the wife of informant.

4. Learned counsel for the petitioner submits that the
F.I.R. was lodged after an inordinate and unexplained delay of



seven days as the occurrence is said to have taken place on 20.5.25, whereas the present F.I.R. was lodged on 27.5.25 after due thought and deliberation. Allegation against petitioner is general and omnibus and there is no specific accusation of any overt act against him. It is further submitted that similarly situated co-accused persons, namely, Jago Yadav and Balmiki Yadav, have already been granted anticipatory bail by co-ordinate Bench of this Hon'ble Court *vide* order dated 15.09.2025 passed in Cr. Misc. No. 64110 of 2025. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application and submitted that there is specific accusation that this petitioner attempted to forcibly establish physical relation with the wife of informant and as such, he cannot claim parity with above mentioned co-accused persons who have been granted anticipatory bail.

6. Considering the nature of accusation, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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