

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88951 of 2025

Arising Out of PS. Case No.-575 Year-2025 Thana- BIKRAMGANJ District- Rohtas

Mithlesh Yadav @ Mithlesh Kumar Son of Sanjay Yadav Resident of Village
- Marauna, P.S.- Bikramganj, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Nagendra Upadhyay, learned counsel for
the petitioner and Ms. Pushpa Sinha.1, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bikramganj P.S. Case No. 575 of 2025, F.I.R. dated 22.08.2025 for the offences punishable under Sections 191(2), 190, 117(2), 303(2), 126(2), 115(2), 109, 352, 351(2) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant alleged that when he alongwith her sister were going to her village by motorcycle, in the meantime, the petitioner along with other co-accused person stopped them and assaulted them by means of iron rod and snatched mangalsutra and jitiya from the neck of her sister.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Although the petitioner is named in the FIR but from bare perusal of the FIR it appears that there no is specific allegation of assault or overt act against the petitioner rather the allegation levelled against him is general and omnibus in nature. Although sister of the informant received injury but her injury is not on vital part of the body and apart from that other three accused persons were granted anticipatory bail from the learned court below but the petitioner was denied the same on the ground that he has one criminal antecedent.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner is named in the FIR and he alongwith other accused persons assaulted the sister of the informant and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, other three accused persons were granted anticipatory bail from the learned court below but the petitioner was denied the same



on the ground that he has one criminal antecedent, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Bikramganj, Rohtas in connection with Bikramganj P.S. Case No. 575 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. 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.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond 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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