

ORDER

1. Mithilesh Yadav , 26 years, S/o Bhavesh Yadav

2. Bhawesh Yadav, 49 years, S/o Nahesh Yadav.....Petitioners.

Vs

1. State of Bihar.....O.Ps.

ORDER

09.06.2026

An application for grant of anticipatory bail filed on behalf of the accused petitioners namely 1.Mithilesh Yadav & 2. Bhawesh Yadav, who are apprehending their arrest in connection with **Industrial P.S. Case No.-56/2026** relating to offences punishable u/Ss 126(2),115(2),125,109,352,351(2) &(3),3(5) of B.N.S pending in the learned Court of A.C.J.M-I, Bhagalpur, is put up and moved.

Heard Mr. Sakaldev Tanti, learned counsel for the petitioners as well as Mr. B.L. Yadav, learned Addl. P.P. for the State assisted with Mr. U.K. Gupta, learned Counsel for the informant .

The prosecution story, in short, is that on 11.03.2026 at about 08:00 a.m. while informant was at his house, all the four named accused persons including the petitioners, variously armed with lathi, axe and iron rod, were quarreling with one Kurkuri Yadav @ Ravish Yadav. In the meantime, said Kurkuri Yadav hid himself in informant's house on which accused persons started pelting stones at the house of informant and when informant tried to pacify them, accused-petitioner Mithilesh Yadav inflicted brick blow on the head of informant causing rupturing of his head. It is further alleged that accused-petitioner no.02 Bhawesh Yadav caused hurt to a cow and accused Sumit Yadav and Banti Yadav attacked the gate of informant's house with an axe and lathi.

Learned counsel for the petitioners, apart from taking the pleas of innocence and false implication, submitted that accused petitioner No.1 Mithilesh Yadav bears two criminal cases whereas accused petitioner No. 02 Bhawesh Yadav bears one criminal case. He further submitted that initially accused-petitioner no.1 had filled industrial P.S. Case no. 54/2026 against Kurkuri Yadav and thereafter informant has lodged this F.I.R. He lastly submitted that there is case and counter case between the parties and prayed to extend the privileges of anticipatory bail to the petitioners which is vehemently opposed by the learned Addl.P.P assisted with learned Counsel for the informant.

Heard both sides and perused the case record. The accused petitioners and two others are named in the F.I.R. and carry allegation of brutally assaulting the informant when he tried to pacify the accused persons, on the one hand, and Kurkuri Yadav, on the other hand. It is specifically alleged that accused-petitioner no.1 Mithilesh Yadav inflicted brick blow on the head of informant. The injury report of informant would reveal that doctor has

found one lacerated wound of size ¼” x ¼” x ¼” on right parietal area of skull and swelling around left eye which have been opined as simple in nature caused by hard and blunt object. I.O has mentioned two criminal cases against accused-petitioner no.1 Mithilesh Yadav and one criminal case against accused-petitioner no.2 Bhawesh Yadav which is in consonance with the certificate given by the learned counsel in the bail petition. There is case and counter case between the parties and there is no allegation of repetition of blow. Therefore, taking into account the nature of injury as well as case and counter case between the parties, this Court is inclined to extend the privileges of anticipatory bail to both the petitioners.

Hence, the prayer for grant of anticipatory bail made on behalf of the accused petitioners namely **1. Mithilesh Yadav & 2. Bhawesh Yadav**, is hereby **allowed**. It is hereby directed that in the event of arrest or surrender before the learned Court below within 30 days from the receipt of a copy of this order, the accused petitioners shall be released on bail on furnishing bail bond of Rs.10,000/-(Ten thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned Complaint Case Court below. Petitioners are directed to file an **undertaking** that they will not misuse the privileges of bail, will cooperate in the trial and are directed to furnish their respective mobile numbers with direction that neither they will change the mobile number nor turn off the mobile without information to the court.

Dictated

Sd/-

(Prabhat Krishna)
IVth Addl. Sessions Judge
Bhagalpur

Date of judgment/order	09-06-2026
Date of Reserving judgment/order	-
Uploading Date	09-06-2026
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