

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18152 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- HALSI District- Lakhisarai

Kewal Yadav, Son of Saukhi Yadav, Resident of Bamuara, P.S.-Halsi, District-
Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Md. Irshad, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh-1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Halsi P.S. Case No.215 of 2024 registered under Sections 127(1), 352, 115(2), 76, 303(2), 351(2), 109 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. As per allegation set out in FIR, it appears that all named co-accused persons including the petitioner in furtherance of their common intention armed with deadly weapons assaulted the informant and his family members due to which, they sustained injuries.

4. It is submitted by learned counsel appearing for



petitioner that the occurrence was free fight in nature, where both parties received injuries and for which the petitioner's side also lodged Halsi P.S. Case No.214 of 2024. It is further submitted that there is no allegation of physical assault against the petitioner rather he was alleged only to snatch the chain during the occurrence and moreover, the co-accused persons, who alleged to assault the informant and others during the occurrence were granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 84619 of 2024 dated 12.12.2024.

5. Learned APP opposed the prayer for anticipatory bail of the petitioner.

6. In view of aforesaid factual and legal submissions and by taking note of fact as *prima facie* allegation against the petitioner appears limited as to snatch the chain during the occurrence, which was free fight in nature, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail 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 Chief Judicial Magistrate, Lakhisarai in connection with Halsi P.S. Case No.215 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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