

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19598 of 2026

Arising Out of PS. Case No.-401 Year-2024 Thana- PARBATTa District- Khagaria

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Ganga Yadav @ Amit Kumar Son of Jalim Yadav Resident of village
Muradpur, Ward No.- 12, P.S.- Parbatta, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Choudhary

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-04-2026 Heard Mr. Akash Kumar Mishra, learned counsel

appearing on behalf of the petitioner and Mr. Chandra Sen
Prasad Singh, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Parbatta P.S. Case No. 401 of 2024 registered under
Sections 126(2), 115(2), 117(2), 109(1), 352, 351(2), 303(2),
3(5) of the Bharatiya Nyaya Sanhita.

3. As per the allegation made in the FIR, the
petitioner, along with other accused, armed with weapons,
assaulted the informant and his sons, causing serious injuries
including a head injury and fracture, with an alleged intention to
kill.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and has been



falsely implicated in the present case due to enmity. The present case is a counter blast of Parbatta P.S. Case No. 410 of 2024 lodged from the side of the petitioner, which shows that the occurrence was a case of free fight. No specific overt act has been attributed to the petitioner causing grievous injury and the petitioner's side has also sustained injuries in the same occurrence. The petitioner, in his self-defense, may have caused some injury on the person of the informant, without intention. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, upon perusal of the FIR, this Court finds that there is a case and counter case between the parties arising out of the same occurrence, which *prima facie* indicates a free fight. The petitioner, in his self-defense, may have caused some injury on the person of the informant, without intention. I am of the opinion that the petitioner having clean antecedent has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The learned District Court is directed to release the



petitioner on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned District Court where the case is pending in connection with Parbatta P.S. Case No. 401 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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