

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26241 of 2026

Arising Out of PS. Case No.-88 Year-2025 Thana- Safiyasarai District- Munger

Manish Yadav Son of Buchho Yadav Resident of Village- Prem Tola Farda,
P.S.- Safiasarai, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Pathak
		Mr. Surya Narayan Sah
For the Opposite Party/s	:	Mr.Uday Pratap Singh

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 16-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 117(2), 109(1), 303(2), 352, 351(2) and 3(5) of the B.N.S.

3. Petitioner, along with others, is said to have assaulted the informant as a result of which he suffered injuries. Further, petitioner snatched away a golden locket from him.

4. Learned counsel for the petitioner submits that the petitioner has been made an accused along with his brother and father with allegations of assaulting the informant by means of iron rod and *khanti* causing him serious injuries. The FIR reveals that one of the accused Ashish Kumar was carrying a



country made pistol and he hit the informant with the butt of the said pistol on the head. It is submitted that the very fact that one of the co-accused was carrying pistol and the same was not used for firing would lead to the inference that there was no intention to kill, as such Section 109 of the B.N.S. would not stand attracted. It has also been pointed out from the case diary that the version of the independent witnesses recorded in para-26 to 29 of the case diary indicates a complete change in the manner of occurrence and it has been stated that on account of some earlier animosity, a verbal altercation between the petitioner and the informant led to a physical fight between the two, resulting in injuries having been caused to the informant. Only one injury has been found to be grievous in nature which is on the non-vital part of the body while the other injuries are in the nature of laceration, swelling abrasion etc. Further, the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the application for anticipatory bail.

6. Taking into consideration the facts and circumstances and also considering the materials collected during the course of investigation showing a case of physical altercation between the parties coupled with the fact that the



grievous injury has been caused on non-vital part of the body, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged 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 court below where the case is pending/successor court in connection with Safiasarai P.S. Case No. 88 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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