

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29060 of 2026

Arising Out of PS. Case No.-356 Year-2025 Thana- DARBHANGA SADAR District-
Darbhanga

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Himashu Yadav @ Himanshu Kumar S/o Lalit Yadav Resident of Village -
Kabariya Mushari, P.S.- Sadar, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Sadar P.S. Case No. 356 of 2025 registered for the offences under Sections 191(2), 190, 126(2), 115(2), 74, 329(4), 303(2), 352, 351(2), 117(2) of BNS.

3. As per prosecution case, in the background of dispute over payment of money to the son of the informant, the petitioner and other co-accused persons came to the house of the informant and assaulted the informant, his son and his brother with bamboo stick causing injuries to them.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No occurrence in the manner as alleged has ever taken place. The FIR has been lodged after delay of 4 days without any explanation. There is general and omnibus allegation against the petitioner and other co-accused persons. The specific allegation against the petitioner is that the petitioner hit the informant with bamboo stick and as the informant shirked the blow, he received injury on his back and thigh. But no injury report of the informant has been brought on record and which shows the allegation of assaulting the informant has not supported with document. The specific allegation of causing fracture of rib cage is against co-accused Maheshwar Yadav, who has been granted anticipatory bail by the learned Sessions Court. Learned counsel further submits that the actual fact of the case is that on the alleged date of occurrence the informant, his son and others, due to previous enmity, entered into the house of the petitioner and they misbehaved with the mother of the petitioner and also assaulted the family members of the petitioner for which Sadar P.S. Case No. 357 of 2025 was lodged against the informant of this case and his family members. Learned counsel further submits that there was



exchange of hot words between the informant and the father of this petitioner during last Panchayat election and since then dispute is going on between the parties. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioner and possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga/concerned court in connection with Sadar P.S. Case No. 356 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S. and other following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present



on each and every date fixed by the
court below, if so required by the
learned trial court.

(Arun Kumar Jha, J)

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