

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28775 of 2026

Arising Out of PS. Case No.-196 Year-2025 Thana- Kharagpur District- Munger

Manish Kumar @ Manish Yadav, S/o Nacho Yadav, R/o village - Koriya, P.S -
Haveli Kharagpur, District - Munger

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Allama Abdul Quadir Jamal Faridi, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 14-07-2026 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 Kharagpur P.S. Case No.196 of 2025 registered under Sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 74, 109 and 352 of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. Allegation against the petitioner is to assault the informant and other during the occurrence by using iron rod, butt of pistol etc., causing head and bodily injuries, where alleged assault were made with intention to cause death.

4. It is submitted by learned counsel appearing for the petitioner that as per FIR, petitioner alleged to assault only



Umashankar, the son of the informant during the occurrence by using butt of pistol on his nose. In this context, it is pointed out that upon medical examination, the said injury was found simple and it also appears that same was not made repeatedly and as such it can be safely said that the petitioner was not under intention to cause death of the injured, Umashankar. It is also pointed out that allegation of outraging modesty is also appears available against the petitioner but the same is not with sexual intent as the occurrence was a free fight in nature for which Kharagpur P.S. Case No.198 of 2025 was lodged by petitioner's side also. Explaining criminal antecedent, it is submitted that the petitioner found involved in three more criminal cases, where he is on bail.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions, and by taking note of fact as assault alleged to be made by petitioner not appears repeated and moreover, the nature of injury upon medical examinations found simple, *prima facie* negating intention to cause death, 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 A.C.J.M.- 1st, Munger in
connection with Kharagpur P.S. Case No.196 of 2025, subject
to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure (in short 'CrPC')/under Section
482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in
short 'BNSS').

(Chandra Shekhar Jha, J.)

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