

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36046 of 2026

Arising Out of PS. Case No.-109 Year-2026 Thana- MADHEPURA District- Madhepura

Manoj Yadav @ Manoj Kumar Yadav S/O - Late Balram Yadav R/O Vill.-
Madhepura, Ward No.- 18, P.s. And District – Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-06-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner is apprehending arrest in connection with Madhepura P.S. Case No. 109 of 2026, dated 30.01.2026, lodged under Sections 126(2), 115(2), 109, 117(2), 303(2), 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, the FIR has been lodged against two named and one unknown accused persons, including the present petitioner, alleging that all the accused persons surrounded the informant and started assaulting him on his head and nose with *lathis*, iron rod and hockey sticks, due to which bleeding started.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the specific allegation is against one co-accused, namely, Manish Kumar, and not against the present petitioner. Counsel further submits that there is neither any act nor any overt act attributed to the present petitioner. Counsel further submits that the name of the present petitioner has been implicated only on account of the enmity between the informant and the co-accused, Manish Kumar. Counsel further submits that the criminal antecedent of the petitioner is not clean and one criminal case is pending against him, in which he is on bail. Counsel also submits that the petitioner is ready to fulfil all conditions as may be imposed upon him.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioner but fairly submits that there is no specific allegation against the petitioner except regarding his presence at the place of occurrence.

6. Considering the facts and circumstances of the present case, specifically the age of the petitioner, which is about 63 years, and the absence of any act or overt act attributed to him, let the above-named petitioner be released on anticipatory bail, in the event of arrest or surrender before the



Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Madhepura, in connection with Madhepura P.S. Case No. 109 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

Aman Kumar/-

U		T	
---	--	---	--

