

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41822 of 2026

Arising Out of PS. Case No.-2 Year-2026 Thana- TELHARA District- Nalanda

Naresh Kumar @ Naresh Yadav, S/o Mithalesh Prasad, Resident of village -
Chhajupur, P.S. - Telhara, District - Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raushan Abhishek, Advocate

For the Opposite Party/s : Ms. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-07-2026 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 Telhara P.S. Case No.2 of 2026 registered under Sections 127, 115(2), 109(1), 74, 303(2) and 352 read with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. As per FIR, the petitioner alleged to have assaulted the informant/injured during the occurrence along with co-accused persons due to neighbourhood dispute and differences.

4. It is submitted by learned counsel appearing for the petitioner that the petitioner's side also lodged a case



against informant and others for same set of occurrence, suggesting sufficiently that the occurrence was free fight in nature and, therefore, it can be safely said further that the petitioner was not under intention to cause death of the informant/injured. It is pointed out that from the opening allegation of FIR, the allegation *qua* physical assault is appearing very much general and omnibus in nature and considering the same, one of the learned co-ordinate Bench of this Court granted anticipatory bail to co-accused namely, Karu Yadav and Virendra Yadav @ Virendra Kumar and, as such, this petitioner also deserves bail on the ground of judicial parity. Explaining criminal antecedent, it is pointed out that petitioner found involved in one more criminal case, 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 the allegation *qua* physical assault is appearing very much general and omnibus, where upon medical examination, the nature of injury found simple, coupled with the fact that similarly situated co-accused



persons have been granted anticipatory bail, as mentioned aforesaid, 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 Chief Judicial Magistrate, Hilsa, Nalanda in connection with Telhara P.S. Case No.2 of 2026, 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.)

Sanjeet/-

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