

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 41820 of 2026

Arising Out of PS. Case No.-18 Year-2026 Thana- Rasalpur District- Bhagalpur

1. Chhotelal Yadav S/O Late Basu Yadav
 2. Rajesh Yadav @ Rajesh Kumar Yadav S/O Chhotelal Yadav
 3. Praves Yadav @ Pravash Kumar S/O Chhotelal Yadav
- All are resident of Village- Rampur Khadhara, P.S.- Rasalpur, District- Banka

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-06-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR

and apprehending their arrest Rasalpur P.S. Case No.18 of

2026 registered under Sections 126(2), 115(2), 117(2),

110, 352, 351(2) read with 3(5) of the Bhartiya Nyaya

Sanhita, 2023 (in short 'BNS').

3. As per FIR, all three petitioners were alleged to

assault the informant and his family members causing head

and bodily injuries, having intention to cause death where

occurrence arising out of monetary dispute.



4. It is submitted by learned counsel appearing for petitioners that the occurrence was free fight in nature, where both parties received injuries for which petitioners' side also lodged a case, which was registered as Rasalpur P.S. Case No. 19 of 2026. It is also pointed out that the maximum allegation against petitioner no.1 namely, Chhotelal Yadav is of order giver, whereas injury as alleged to be caused by petitioner no.3 namely, Praves Yadav, upon radiological examination found simple. It is also submitted that the allegation of repeated assault is not available against petitioner no.3 and, therefore, taking these two things, it can be safely gathered that petitioner no.3 was not under intention to cause death of injured son of informant, namely, Chandan Kumar. However, learned counsel for the petitioners conceded that the injury as alleged to be caused by petitioner no.2, namely, Rajesh Yadav @ Rajesh Kumar Yadav is on vital part of the body i.e., head of the informant, which upon medical examination found grievous in nature.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by



taking note of nature of injury, and also the nature of allegation as raised against petitioner no.1 and 3, both petitioner no.1, namely, Chhotelal Yadav and petitioner no.3 namely, Praves Yadav @ Pravash Kumar, in the event of their arrest or surrender in the court below within a period of four weeks, are directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., Bhagalpur in connection with Rasalpur P.S. Case No.18 of 2026, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

7. As petitioner no.2 namely, Rajesh Yadav @ Rajesh Kumar Yadav specifically alleged to assault on the head of the informant, causing grievous injury, accordingly, the prayer of anticipatory bail of petitioner no.2 stands rejected.

(Chandra Shekhar Jha, J.)

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