

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51085 of 2026

Arising Out of PS. Case No.-24 Year-2026 Thana- HAJIPUR SADAR District- Vaishali

Yogesh Kumar @ Rakesh Kumar S/o Nandlal Ray R/o Village - Hathsarganj,
P.S - Hajipur Town, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar, Adv.

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-07-2026 Heard learned Advocate for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Hajipur Sadar P.S. Case No.24 of 2026 registered for the offences punishable under Sections 126(2), 127(2), 115(2), 117(2), 109 and 3(5) of the BNS.

3. The allegation against the petitioner is that he assaulted the informant with a cricket bat, resulting in a fracture injury to the informant's hand. There are further allegations against the other accused persons of abusing and assaulting the informant.

4. Learned Advocate for the petitioner, referring to the F.I.R., contended that *prima facie* it appears that the dispute arose amongst the children while playing cricket, which



subsequently escalated into a scuffle, leading to the unfortunate injuries. It is further contended that the nature of the weapon allegedly used by the petitioner, coupled with the genesis of the occurrence, *prima facie* indicates that the incident was neither premeditated nor the result of any prior design; rather, it occurred in the heat of the moment during the scuffle. Though, the petitioner has one criminal antecedent, but he has already been granted bail in the said case. The petitioner undertakes that he will fully cooperate with the proceedings of the Court and shall maintain good conduct and not indulge in any such activity in future.

5. *Per contra*, learned Advocate for the State vehemently opposed the prayer for bail and submitted that the specific allegation of assault is against the petitioner, due to which the injured has sustained grievous injury.

6. Having considered the rival submissions advanced on behalf of the parties and taking into account the genesis of the occurrence, the nature of the weapon allegedly used, the fact that the injury was sustained on a non-vital part of the body, as well as the undertaking furnished on behalf of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within



a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No.24 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further follwing conditions:

(i) One of the bailors shall be the own/close family members of the petitioner.

(ii) If the petitioner is found involve in intimidating/ threatening the witnesses or the informant or would indulge in such activities in future, the informant/State shall be at liberty to file appropriate application for cancellation of his bail bond(s).

(Harish Kumar, J)

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