IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67473 of 2026

CNR No. BRHC010941562026

Arising out of PS. Case No.-15 Year-2026 Thana- Naya Bhojpur District- Buxar

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Mukesh Kumar Yadav @ Mukesh Kumar @ Mukesh Yadav S/O Late Ashok Yadav @ Ashok Singh Resident of Purana Bhojpur, Police Station- Naya bhojpur, Dist.- Buxar.

... ... Petitioner/s

Versus

The State of Bihar Patna

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Parijat Saurav, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

3 05-11-2026 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Naya Bhojpur P.S. Case No. 15 of 2026, registered for the offence under Sections 126(2), 115(2), 109(1), 303(2), 351(2), 352 and 3(5) of BNS.

3. As per prosecution case, the petitioner assaulted the wife of the informant with iron rod on her head causing injuries to her.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely

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implicated in this case. Learned counsel further submits that there is a case and counter-case for the same occurrence by both sides being Naya Bhojpur P.S. Case No. 15 of 2026 and Naya Bhojpur P.S. Case No. 16 of 2026. Learned counsel further submits that five persons from the petitioner side were also injured and there was no intention to cause any harm to any one or even the wife of the informant. She received injury on his head due to fall during free fight. Learned counsel also submits that no offence under Section 109(1) BNS is made out and the informant has not given any reason or motive for the occurrence but the same is clear from the other two FIRs which bring the real picture. Learned counsel submits that the petitioner is aged about twenty years and the petitioner is having clean antecedent and he is in custody since 10.07.2026 and charge-sheet has also been submitted against the petitioner.

5. Learned A.P.P. appearing for the State and learned counsel for the informant vehemently opposes the submission made on behalf of the petitioner. Learned counsel for the informant submits that the

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wife of the informant received injury on her head due to which her head was fractured

6. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that there is a case and counter-case between the parties and also considering the clean antecedent of the petitioner, period of custody and submission of charge sheet against the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Additional Chief Judicial Magistrate-II, Buxar/ concerned court, in connection with Naya Bhojpur P.S. Case No. 15 of 2026, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial

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court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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