IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74381 of 2026

CNR No. BRHC011063892026

Arising Out of PS. Case No.-88 Year-2026 Thana- Mehendiya District- Arwal

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Kamlesh Kumar @ Kamlesh Yadav S/O Laldeo Yadav R/O Village- Jaypur, P.S.- Mehandiya, Distt.- Arwal.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Kumar Baitha
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 28-10-2026 Heard learned Advocate for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Mehandiya P.S. Case No. 88 of 2026, registered for the offences punishable under Sections 190, 191(2), 191(3), 115(2), 126(2), 118(1), 117(2), 109 and 352 of the BNS.

3. Allegedly, in the morning of the fateful day, on account of an altercation which took place due to removal of cow dung, all the FIR named accused persons, including the petitioner, armed with various weapons came there and brutally assaulted the informant and her husband. It is specifically alleged that co-accused Manish Yadav pulled the informant's husband by catching his hand, whereupon this petitioner

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assaulted him by means of iron rod, due to which he sustained serious injuries.

4. Learned advocate for the petitioner submitted that on a bare reading of the FIR, it is evident that there was a previous land dispute pending between the parties. Moreover, the alleged occurrence took place in the morning of 21.05.2026, whereas the present FIR came to be instituted on 23.05.2026 after a delay of two days, and as such, exaggeration and false implication of the petitioner cannot be ruled out. So far the injury which is allegedly sustained to the informant is concerned, the same is reported to be simple in nature, whereas the husband of the informant has sustained four injuries, out of which three injuries have been found to be simple in nature. With respect to the nature of one injury, the same is kept reserved, however, it is not specifically attributed to the petitioner. While concluding the submission, learned advocate for the petitioner further argued that in fact, on the alleged date of occurrence, a brawl broke out between the persons of both the sides, which resulted into some unfortunate injuries, however, the petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned advocate for the State

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vehemently opposed the bail application.

6. Considering the genesis of the occurrence, as well as the delay in lodging of the FIR, as also the fact that no specific injury has been attributed to the petitioner, besides his fair antecedent, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Arwal in connection with Mehandiya P.S. Case No. 88 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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