IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73342 of 2026

CNR No. BRHC011069582026

Arising Out of PS. Case No.-280 Year-2026 Thana- JAYNAGAR District- Madhubani

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Sanjay Yadav @ Sanjay Kumar Yadav S/o Mahendra Yadav R/o Village - Kalmabadi Dhauli Tola, P.S. - Jaynagar, District- Madhubani.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vinod Kumar, Adv.
For the Opposite Party/s : Ms. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 28-10-2026 Heard learned Advocate for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Jaynagar P.S. Case No.280 of 2026 registered for the offences punishable under Sections 115(2), 118(1), 117(2), 109, 351(2), 352 and 3(5) of the BNS.

3. Allegedly, in the evening of fateful day, while the informant was returning to his home, all the named accused persons, including the petitioner, surrounded him. Upon the exhortation of the co-accused persons, the petitioner allegedly assaulted the informant on his head with an iron rod. It is further alleged that, while attempting to defend himself, the petitioner sustained serious injuries to his finger. There are further

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allegations against the other accused persons of assaulting the informant and the persons who came to his rescue.

4. Learned Advocate for the petitioner submitted that the reason behind the said occurrence is nothing but the fact that nephew of the informant solemnized love marriage with the daughter of the petitioner and when the same was protested, the present FIR came to be instituted in order to put pressure and wreak vengeance.

5. Referring to the FIR, it is further submitted that even if the allegation is taken to be true for the sake of argument, the injury which is allegedly sustained and reported to be of grievous in nature, the same is on non-vital part. So far as the other injuries are concerned, the allegations thereof are omnibus in nature and have been attributed collectively to all the accused persons. It is also argued that the informant was initially taken to Jainagar Hospital and was thereafter referred to Madhubani for better treatment. However, no FIR was lodged, nor was any information regarding the occurrence given to the police at that stage. It is contended that the FIR came to be instituted only after the informant had received treatment, resulting in a delay of one day in lodging the same. The petitioner though bears one criminal antecedent, however

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presently he is on bail in the said case.

6. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that in any view of the matter, the petitioner is the author of grievous injury sustained to the informant.

7. Considering the rival submissions advanced by learned Advocates for the respective parties and taking note of the genesis of the occurrence, besides the nature of accusation and the injuries on the non-vital part attributed to 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., Madhubani in connection with Jaynagar P.S. Case No.280 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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