IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76267 of 2026

CNR No. BRHC011095112026

Arising Out of PS. Case No.-259 Year-2026 Thana- MOHANPUR District- Gaya

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Pragesh Yadav @ Jay Prakash Yadav @ Pragash Yadav S/O Late Raghunandan Yadav R/O Village- Sagarpur, P.S.- Mohanpur, Distt.- Gaya.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Vijay Kumar, Adv.
For the Opposite Party/s : Mr.Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-11-2026 Heard Learned Counsel for the petitioner and Learned APP for the State.

2. The petitioner is apprehending arrest in connection with Mohanpur P.S. Case No.259 of 2026 lodged on 23.06.2026, for the offences punishable under Sections 126(2), 115(2), 117(2), 109(1), 303(2), 74 & 3(5) of the B.N.S., 2023.

3. As per the prosecution, FIR has been lodged against nine named accused persons including the present petitioner with specific allegation against the petitioner that he has assaulted the informant on his head due to which injury has been caused due to which he fell down and his hand was broken.

4. Learned Counsel for the petitioner submits that the

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petitioner is innocent and has committed no offence. Counsel also submits that the petitioner is aged about 65 years. He further submits that the cause of dispute has already been narrated in the FIR that is listening music. He further submits that for the same date and place of occurrence, there is case and counter-case between the parties and scuffling took place from both sides due to which grievous injury has been caused from petitioner's side. It has been specifically mentioned in the FIR that the injury has been caused on the head, but actually, there is no injury on the head of the informant rather injury is on his hand.

5. Learned counsel further submits that the criminal antecedent of the petitioner is clean and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Learned APP for the State opposes the prayer for bail of the petitioner, but fairly submits that there is case and counter-case between the parties and the petitioner is aged about 65 years.

7. In the present facts and circumstances of this case as well as considering the age of the petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a

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period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of A.C.J.M.-II, Sherghati, Gaya in connection with Mohanpur P.S. Case No.259 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS**,** 2023.

(Dr. Anshuman, J)

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