

.... Petitioner
Versus

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Lalit Yadav, Advocate
Mr. Satyanshu Shubham, Advocate
For the State : Mr. V.S. Sahay, A.P.P.

2. The petitioner is apprehending his arrest in connection with Sarath P.S. Case No. 09 of 2026, registered for the offence under Sections 126(2), 115(2), 118(1), 303(2), 109(1) and 3(5) of Bhartiya Nyaya Sanhita, 2023, pending in the court of learned Judicial Magistrate, 1st Class, Madhupur.

3. Learned counsel appearing for the petitioner submits that free fight occurred between the parties when the informant side were going to emersion of a deity. He submits that there are case and counter case between the parties. He also submits that there are general and omnibus allegation against three persons.

4. Learned counsel appearing for the State has opposed the prayer and submits that the allegations are there of assault.

5. Considering that free fight occurred when the informant side were going to emersion of a deity and there are case and counter case between the parties and it is not clear from whose blow, the said injury caused and in that view of the matter, the petitioner, named above, is directed to surrender before the learned Court within two weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhupur, in connection with Sarath P.S. Case No. 09 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sanjay Kumar Dwivedi, J.)