

IN THE COURT OF SESSIONS JUDGE, BANKA

Anticipatory Bail Petition No. 03 of 2026

Date of filing : 02.01.2026

Date of order : 18.03.2026

1. Vikash Yadav, aged about 46 years, son of Harki Yadav @ Harkit Yadav
2. Kundan Yadav @ Kundan Kumar, aged about 24 years, son of Madan
Yadav @ Madan Prasad Yadav

Both residents of village- Bari Bharatshila, P.S.-Shambhuganj, District-Banka

..... Petitioners

-Versus-

State of Bihar

.....Opposite Party

Present : - Sri Rakesh Kumar, Advocate for the Petitioners

Sri Hira Lal Singh, Public Prosecutor for the State

ORDER

1. Apprehending arrest the petitioners have preferred this pre-arrest bail application who are booked in Shambhuganj Police Station Case No. 126 of 2021, for the offence allegedly committed under Sections 341, 323, 315, 307, 354, 504, 506/34 of IPC.

2. The case of prosecution is based upon an application filed by one Arun Kumar, with the allegations that on 06.06.2021, all of a sudden (i). Jitendra Kumar, (ii). Shankar Yadav, (iii). Madan Yadav, (iv). Vikash Yadav, (v). Kundan Yadav, (vi). Shrawan Yadav, in collusion with each other and armed with deadly weapons, attacked him with blackjack, sticks etc. resultantly his as well as his brother's head ruptured. His mother also sustained injuries on her head and fingers.

4. Learned counsel for the petitioners, in his oral arguments submitted that there are omnibus allegations. The present petitioner was not sent up by the police in the charge-sheet dated 02.05.2022, even thereafter, cognizance has been taken u/s 307 against the present petitioner.

4. In counter, learned public prosecutor stoutly opposed the bail application and the drew attention of the Court to para nos. 29, 30, 33 of the case diary, which are injury reports. The first injury report of Deepak Kumar

shows that he sustained injuries on his scalp. The second injury report of Arun Kumar also shows injury on his scalp. Likewise, injury report of Kiran Devi shows that she sustained fracture injuries.

5. *Heard rival submissions and perused the record. Keeping in view the injury report as well as allegations, this Court is not inclined to grant pre-arrest bail; resultantly it is dismissed.*

6. *File be consigned to the record room and that of trial court be sent back with a copy of this order.*

7. *Keeping in view the General Order no. 1 of 1991 (Criminal) dated 07.03.1991, the certified copy of FIR, if desired, be returned back to the petitioners on placing the xerox copy thereof on record.*

(Dictated)

Sd/-

(Satya Bhushan Arya)

Sessions Judge, Banka

18.03.2026

Memo No..... Banka, Dated, the 18th March, 2026.

Copy forwarded to Sri Vijay Kumar, JMFC, Banka for information and needful.

Administration In-charge

Civil Court, Banka