

IN THE COURT OF SATYA BHUSHAN ARYA, SESSIONS JUDGE, BANKA

Kundan Yadav & Anr. V. State of Bihar

Bail Petition No. 189 of 2026

Date of filing : 12.03.2026

Date of order : 15.04.2026

1. Kundan Yadav, age 30 years

2. Manish Yadav, both sons of Pappu Yadav, resident of village Mirjapur, police station Barahat, district Banka

..... Petitioners

-Versus-

State of Bihar

.....Opposite Party

Present :- Sri Ram Kishore Yadav, Advocate for the Petitioners
Sri Hira Lal Singh, Public Prosecutor for the State

ORDER

1. Yearning for an order of emancipation the bail petition has been filed by the petitioners, who are booked in Barahat Police Station Case No. 29 of 2026, for the offence allegedly committed under Sections 126(2), 115(2), 118(2), 109(1), 352, 3/5 of BNS, 27 of Arms Act and are confined in jail since 09.02.2026.

2. The case of prosecution is based upon a gravamen filed by one Bipin Yadav with the allegations that on 07.02.2026, at 20:00 pm, he along with his nephew Chhotu Kumar Yadav came home after irrigating his wheat field. Then, 1. Kundan Yadav, 2. Manish Yadav, 3. Tuntun Yadav, 4. Rajesh Yadav came and started abusing. When he refused to do so, Manish Yadav and Rajesh Yadav ordered Kundan Yadav and Tuntun Yadav to fire gunshots upon which Kundan Yadav and Tuntun Yadav started firing gunshots, which hit his right leg and both legs of his nephew. Then, all the accused managed to escape.

3. In oral arguments, the learned counsel for petitioners submitted that they have falsely been implicated in this case whereas none of the alleged injured sustained any injury and the accused are confined in jail since 09.02.2026.

4. In counter, learned Public Prosecutor for the State stoutly opposed the bail application and drew attention of the court on injury report of Chhotu Kumar, whose X-Ray report shows multiple metallic opacity in both foot, fracture of 5th metatarsal right, fracture of 4th metatarsal left.

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5. *Heard rival submissions and perused the record. The injury report show that there are bullet injury on the foot of victim Chhotu Kumar, however keeping in view the fact that the accused are confined in jail since 09.02.2026, this court is inclined to emancipate the petitioners on bail; resultantly, this bail application is allowed. Petitioner-accused are ordered to be emancipated on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of trial court. Out of the two sureties, one will be of the same village or close relative of petitioners. The petitioners shall furnish their bail bonds after framing of charge. The accused will file an undertaking that they shall personally appear on each and every date of hearing and in case of their third default, their bail will be canceled.*

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)

(Satya Bhushan Arya)
Sessions Judge, Banka