

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

*Tuntun Yadav & Anr. V. State of Bihar*

*Anticipatory Bail Petition No. 505 of 2026*

*Date of filing : 08.04.2026*

*Date of order : 15.04.2026*

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*1. Tuntun Yadav son of Majar yadav, age 40 years*

*2. Rajesh Yadav son of Majar Yadav, age 45 years*

*Both resident of village Mirzapur, p.s. Barahat, district Banka*

*..... Petitioners*

*-Versus-*

*State of Bihar*

*.....Opposite Party*

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*Present : - Sri Sanjay Kant Dubey, Advocate for the Petitioners*

*Sri Hira Lal Singh, Public Prosecutor for the State*

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**ORDER**

*1. Apprehending arrest the petitioners have preferred this pre-arrest bail application 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.*

*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, learned counsel for the petitioners submitted that the petitioners have falsely been implicated in this case whereas they have no connection of any kind with alleged crime. It is further argued that there is no injury on any vital part on the person of injured.*

*4. In counter, learned Public Prosecutor for the State opposed the pre-arrest 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 5<sup>th</sup> metatarsal right, fracture of 4<sup>th</sup> metatarsal left.*

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5. *Heard submissions and perused the record. The injury report reveals that there are bullet injuries on the body of victim Chhotu Kumar, therefore keeping in view the nature of allegation as well as injury, this court is not inclined to grant the petitioners privilege of 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)*

*(Satya Bhushan Arya)*  
*Sessions Judge, Banka*