

In the Court of District & Addl. Sessions Judge-III, Begusarai
Presiding Judge: Ravishankar Kumar
S.T Case No-1244/2025
S.Kamal P.S. Case No-254/2025

Order

02.04.2026

Present: Sri. Vishnudhari Pd. Yadav, Ld. Counsel for the accused
Sri. Dilip Kumar, Ld. APP for the State

1. Today a bail application has been preferred on behalf of accused-**Sharad Yadav @ Sharad Kumar @ Suraj Kumar** in as much as he has been in judicial custody since 18.10.2025 in connection with S.Kamal P.S. Case No-254/2025 in which charge has been framed u/s-117(2) r/w-3(5), 126(2) r/w-3(5), 115(2) r/w-3(5), 351(2) r/w-3(5) and 252 r/w-3(5) of BNS.
2. The case of the prosecution in brief is that the informant-Adalat Yadav filed written information before the SHO, in which he has alleged that he is incumbent Sarpanch of Vishnupur Aahok Panchayat. As per him, on 20.08.2025, the petitioner along with one Dharm Yadav assaulted his co-villager-Sant Sevan Malakar. When the informant received the information about the incident, then as a sarpanch, he called both the accused persons including the petitioner to enquire about the incident. On 21.08.2025 at about 06.00 PM when the informant was enquiring from Dharm Yadav, then the accused persons, namely, Babbar Yadav and Sarad Yadav (petitioner) in support of Dharm Yadav attacked upon the informant and abused him. Accused-Babbar Yadav pointed pistol at the temple of the informant. Then all the accused persons including this petitioner assaulted the informant with lathi and danda, due to which the left hand of the informant got fractured. All the accused persons then threatened him to kill and went away.
3. Ld. Counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case due to dirty village politics. All the allegations against the petitioner are bailable except section 109(1) BNS which is not made

In the Court of Addl.S.J.-III
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out against the petitioner. The allegation of assault by the petitioner to the informant is general and the allegation is not specific as to who has broken the hand of the informant.

4. The submission of Id. Defence counsel is opposed by the Id. APP.

5. Having heard and perused the case record. As per the FIR, the allegation against the petitioner is that he along with other co-accused persons assaulted and abused the informant and also hurled threats to kill him. From the perusal of the record, it appears that the predecessor court has discharged the accused persons u/s-109(2) of BNS vide order dated 13.03.2026. The charge against both the accused persons have been framed u/s-117(2) r/w-3(5), 126(2) r/w-3(5), 115(2) r/w-3(5), 351(2) r/w-3(5) and 252 r/w-3(5) of BNS vide order dated 01.04.2026 and all the charged offences are bailable in nature. In this case, the co-accused Babbar Yadav has been granted privilege of bail by the hon'ble High Court, Patna vide order dated 17.02.2026 passed in Cr. Misc. No-8248/2026. Considering these facts and circumstances of the case, I am inclined to direct to enlarge the petitioner on bail on furnishing bail bonds of Rs.-10,000/- with two sureties of the like amount each subject to condition that one of the bailors should be close relative of the petitioner.

Dictated

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(Ravishankar Kumar)
Addl. S. J.-III, Begusarai
02.04.26