

IN THE COURT OF SRI DEEPAK KUMAR-I, ADDITIONAL SESSIONS JUDGE- II, BHAGALPUR

Anticipatory Bail Petition No. 541/2026

(Arising out of **Goradih P.S. Case No. 23/2026**)

U/s 126 (2), 115 (2), 329 (4), 109, 351 (2), (3), 352, 303 (2), 3 (5) BNS.

- 1. Rachna Devi**, age 66 years, W/o Sitaram Yadav
- 2. Sitaram Yadav**, age 70 years, S/o Late Tarni Prasad Yadav
- 3. Mukesh Yadav @ Pintu Yadav**, age 41 years, S/o Sita Ram Yadav
- 4. Kundan Yadav @ Amit Yadav**, age 31 years, S/o Sitaram Yadav**Petitioners**

Versus

The State of Bihar

.....**Opp. Party**

For the Petitioner/s : Mr. Pramod Kumar Yadav, Ld. Advocate.
For the State : Mr. D. N. Sahay, Ld. A.P.P.

Date of order	Order with signature of the court
1	2
08-05-2026	<p>This is a petition filed on behalf of the above named accused-petitioners for grant of anticipatory bail who apprehension their arrest in connection with Goradih P.S. Case No. 23/2026 for offences punishable U/s 126 (2), 115 (2), 329 (4), 109, 351 (2), (3), 352, 303 (2), 3 (5) BNS.</p> <p>On behalf of the petitioners a certificate has been given in the bail petition that earlier no anticipatory or regular bail petition has been filed on their behalf either before the Court of the Ld. Principal Sessions Judge, Bhagalpur or before the Hon'ble High Court, Patna. At para-3 of bail petition, accused-petitioners have given certificate that they have no criminal antecedents.</p> <p>Prosecution case, as per FIR of informant Sundarama Devi, in brief, is that on 25.01.2026 at about 09:00 p.m. her husband was at his home, in the meanwhile, all FIR named accused-persons including these accused-petitioners have reached at her home and started hurling abuses by caste and also started assaulting her husband. On objection, Pintu Yadav has assaulted on the head of informant by means of lathi by which her husband sustained head injury and fell down on land and Kundan Yadav pointed out a Pistol upon her. Thereafter, they have taken Rs. 45,000/- cash and ornaments and threatened to kill. Earlier a dispute has been arose between them two years ago. Thereafter, injured was taken hospital for treatment by police. Hence, this FIR is lodged.</p> <p>The learned counsel for the petitioners submitted that the petitioners are innocent and have committed no offence and have falsely been implicated in this case. It has further been submitted that occurrence took place on the immersion of Saraswati Puja and both parties are injured in this case and except section 109 and 303 (2) BNS, rest sections are bailable in nature and said sections are not made out against the accused-petitioners and nothing any incriminating material has been recovered from the possession of this accused-petitioner. On such basis, it has</p>

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been prayed that the petitioners be enlarged on anticipatory bail.

On the other hand, learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners.

Heard both the parties.

Perused the case record as well as case diary and on perusal the same it transpires that there are allegations against these accused-petitioners that they alongwith other co-accused persons have assaulted the informant and her husband by which her husband sustained injury and they have also snatched the jewellery and cash of Rs. 45,000/- from the house of informant. Para-13 of the case diary is the restatement of informant who reiterated the prosecution case. Para-15, 16, 17 and 18 of the case diary are the statements of witnesses who have also supported the prosecution case. On perusal of injury report of injured Seshnath Singh the doctor has found contusion present in left temporal cortex and fracture right frontal zygomatic bone which are the viral part of the body. Further, the allegations of assaulting the injured is against petitioner No. 2 namely Sitaram Yadav, petitioner No. 3 namely Mukesh Yadav @ Pintu Yadav and petitioner No. 4 Kundan Yadav @ Amit Yadav. So, the prayer for anticipatory of petitioner No. 2 namely **Sitaram Yadav**, petitioner No. 3 namely **Mukesh Yadav @ Pintu Yadav** and petitioner No. 4 **Kundan Yadav @ Amit Yadav** is hereby **rejected**.

Further, there is no specific allegation of assaulting the injured person against the accused petitioner namely Rachna Devi. So, the prayer for anticipatory bail of petitioner No. 1 namely **Rachna Devi** is hereby **allowed** and directed to release on anticipatory bail within 30 days of this order after filing of bail bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of learned Trial Court with condition laid down U/S 482 (2) BNSS.

Sd/-

Additional Sessions Judge-II

Bhagalpur