

Dharma Yadav, 30 years, s/o Sitaram Yadav.....Petitioner.

Vs

State of Bihar.....Opposite Party

ORDER

10.06.2026. An application for grant of regular bail filed on behalf of above named accused petitioner namely **Dharma Yadav**, who is in custody since 01-04-2026 in connection with **Madhusudanpur P.S. Case No. 183/2024** registered u/Ss 126(2)/ 115(2)/ 117(2)/ 109/ 352/ 351(2)/351(3) of the B.N.S. pending before the learned Court of A.C.J.M. VIII , Bhagalpur, is put up for hearing.

Heard Mr. Sunil Kumar, learned counsel for the petitioner as well as Mr. B.L. Yadav, learned Addl. P.P. for the State.

The prosecution case, in short, is that on 13-11-2024 at about 05:00 pm while informant was on way to his agricultural field, he was waylaid by accused petitioner Dharma Yadav who abused and assaulted him by means of lathi causing fracture injury in his hand and leg.

Learned counsel for the petitioner, apart from taking the pleas of innocence and false implication, submitted that petitioner bears two criminal cases in which he is on bail. He further submitted that injuries have been caused on leg and hand and, therefore, Section 109 of the I.P.C. is not attracted and prays to enlarge him on bail on the ground of period of custody and completion of investigation.

Learned Addl. P.P., on the other hand, vehemently opposed the prayer for grant of bail to the petitioner.

Heard both sides and perused the case record from which it transpires that petitioner is sole accused named in the F.I.R. and carries allegation of brutally assaulting the informant by means of lathi causing fracture injuries in his limbs. The injury report of informant would reveal that apart from one abrasion on chin the doctor has found fracture of left tibia and fibula and opined the same as grievous in nature caused by hard/blunt substance. Informant himself has stated about existence of dispute with the accused petitioner and witnesses have also stated about litigation pending between the parties. From perusal of injury report, it transpires that no injury has been caused on vital part of the body. Record further reveals that investigation of this case is already complete and I.O. has submitted chargesheet against this petitioner followed by taking of cognizance. Though petitioner bears two criminal cases but he is on bail in those cases as stated by the learned counsel in para three of the bail petition. No useful purpose would be served by keeping the petitioner behind

the bar. Moreover, petitioner is in custody since 01-04-2026 on surrender before the learned court below. Therefore, taking into account the nature of injuries, the part of the body on which injuries were caused, weapon used in causing those injuries, period of custody and completion of investigation, this Court is inclined to enlarge this petitioner on bail.

Accordingly, the prayer for regular bail of accused petitioner namely **Dharma Yadav** is hereby **allowed**. Accused petitioner is directed to be released on bail on furnishing bail bond of **Rs. 10,000/- (Ten thousand rupees only)** with two sureties of the like amount each to the satisfaction of the learned Court below. With the **condition** that one of the sureties shall be close relative of the petitioner. Petitioner will file an **undertaking** that he will remain physically present till framing of the charge and will not misuse the privileges of bail.

Dictated

Sd/-

(Prabhat Krishna)

IVth Addl. Sessions Judge
Bhagalpur

Date of judgment/order	10-06-2026
Date of Reserving judgment/order	-
Uploading Date	11-06-2026
Uploaded by	Stenographer