

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

Bail Petition No. 598/2026

(Arising out of **Sultanganj P.S. Case No. 700/2023**)
U/s 447, 323, 341, 379, 307, 504, 506/34 IPC.

Mritunjay Yadav @ Harish Raj, age 33 years, S/o Amir Yadav, R/o Kolgamma, Mirjanhat, P.S. Sultanganj,
District Bhagalpur**Petitioner**

Versus

The State of Bihar**Opposite Party**

Appearance:

For the Petitioner: Mr. Ankita Bharti, Learned Advocate.

For the State: Mr. Abhay Kumar Singh, Learned A.P.P.

Date of Order	Order with Signature of the Court
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12.06.2026	A regular bail petition has been filed on behalf of the above named accused-petitioner who is in judicial custody since 07.04.2026 in connection with Sultanganj P.S. Case No. 700/2023 for the offence punishable U/s 447, 323, 341, 379, 307, 504, 506/34 IPC. On behalf of petitioner a certificate has been given at para-2 of bail petition that earlier petitioner has filed ABP No. 737/2025 which was rejected on 06.05.2025. Thereafter, petitioner has filed anticipatory bail before the Hon'ble High Court, Patna vide in Cri. Misc. No. 54956 of 2025 which was dismissed as withdrawn by the Hon'ble High Court, Patna. Thereafter, petitioner has not filed any anticipatory or regular bail petition either before Ld. Principal Sessions Judge, Bhagalpur or before the Hon'ble High Court, Patna. A certificate has given at para-3 of the bail petition that accused-petitioner has some criminal antecedents bearing Sultanganj P.S. Case No. 20/2012 U/s/ 341, 323, 354, 504, 506, 34 IPC, Sultanganj P.S. Case No. 51/2013 U/s 363, 366A, 504, 506, 120B IPC, Sultanganj P.S. Case No. 21/2023 U/s 341, 323, 307, 504, 506, 34 IPC & U/s 3 (i)(r) of SC/ST Act and Sultanganj P.S. Case No. 23/2026 U/s 115 (2), 126 (2), 303 (2), 352, 351 (2), 3 (5) BNS and 3 (i)(r)(s) of SC/ST Act. Prosecution case, as per FIR of informant Ram Prasad Roy, in brief, is that informant has a piece of land measuring three Katha in front of Kolgama. On 12.12.2023 at about 4:00 p.m. informant was at his house, in the meanwhile, Mirtunjay Yadav and Chhotu Yadav came and forcibly took out of Rs. 5,000/- (Rupees Five Thousand only) from the pocket of informant and started abusing. Both were in intoxicating conditions. Thereafter, both assaulted the informant and his family members by means of bricks and lathi-danda due to which blood was oozing out from the body of her daughter. Thereafter, both accused-petitioners tried to kill his daughter by means of Towel (Gamchha). Thereafter, they forcibly claimed the land of informant by forging. Hence, this FIR is lodged. The Ld. counsel for the petitioner submitted that the petitioner is innocent and has not committed any offence and he has falsely been implicated in this case. Further, submits that nothing incriminating material or theft material has been recovered from the possession of this accused and allegation of fighting the informant and his family members is general in nature and except section 307 IPC, rest sections are bailable in nature and there is no direct or indirect allegation of assaulting the injured against

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Contd..../P-2 12.06.2026	this accused-petitioner. Further, submits that petitioner is in judicial custody since 07.04.2026, hence, petitioner deserves bail. On the other hand, learned Additional Public Prosecutor for the State opposed the prayer for regular bail of the petitioner. Heard both the parties. Perused the case record and as well as case diary and on perusal the same it transpires that there is allegation against this accused-petitioner that he alongwith other co-accused person has assaulted the informant by means of bricks, lathi and danda and he also tried to kill the daughter of informant by pressing her neck by towel by which both got injured. Para- 2 of the case diary is the re-statement of informant who reiterated the prosecution case. Para- 8, 9, 18 and 49 of the case diary are the statements of witnesses who have fully supported the prosecution story. Para-59 of the case diary is the injury report of injured Rita Kumari reveals that the doctor has found pain, swelling and abrasion on right wrist, pain and swelling on legs, pain and swelling on right ankle joint and right side of lower back and according to X-ray report shows fracture of right tibia and doctor has opined injury No. 2 is grievous in nature caused by hard and blunt substance. Para-60 of the case diary is the injury report of injured Deepak Kumar reveals that the doctor has found multiple bruise and swelling on right hand, pain and swelling on right knee and doctor has opined the nature of injury is simple caused by hard and blunt substance. Further, there is direct allegation of assaulting the informant and his daughter against this accused-petitioner by which they got injured. Para-25 of the case diary reveals that accused-petitioner namely Mritunjay Yadav has some criminal antecedents bearing Sultanganj P.S. Case No. 20/2012 Us/ 341, 323, 354, 504, 506, 34 IPC, Sultanganj P.S. Case No. 51/2013 U/s 363, 366A, 504, 506, 120B IPC, Sultanganj P.S. Case No. 21/2023 U/s 341, 323, 307, 504, 506, 34 IPC & U/s 3 (i)(r) of SC/ST Act and Sultanganj P.S. Case No. 23/2026 U/s 115 (2), 126 (2), 303 (2), 352, 351 (2), 3 (5) BNS and 3 (i)(r)(s) of SC/ST Act which shows that petitioner is habitual offender. Keeping in view the gravity of the offence, eight criminal antecedents, the allegation as alleged against the petitioner is serious in nature. Therefore, this Court is of the opinion that at this stage the applicant/petitioner is not entitled to grant of bail. Hence, this Bail Petition is hereby Rejected. Sd/- Additional Sessions Judge II Bhagalpur.