

IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE- 3rd NAUGACHIA
Anticipatory Bail Petition No. 90/2026
Arising out of Bihpur P.S. Case No. 71/2019

1. Nivas Yadav, aged about 29 years S/o Late Laxman Yadav
R/o - Village - Narayanpur, P.S. - Bhawanipur, Dist. - Bhagalpur

----- Petitioner
VRS.

The State of Bihar ----- Opposite Party

ORDER

09-04-2026

The petitioner aforementioned in apprehension of his arrest has filed an application seeking protection from arrest in Bihpur P.S. Case No. 71/2019 in which he is accused. This case was registered under Sections 384, 506 B.N.S. against him. Copy of petition has already been served upon the Ld. Addl.P.P.

2. Heard Ld. Counsel for the petitioner and Sri P.N. Sah Ld. Addl. P.P. for State.

3. The grounds under which the petitioners have made their prayer that there is no type of bail petition either earlier file nor pending before Hon'ble High Court, Patna nor gracious court. It is further submitted that the petitioner is quite innocent and he has committed no offence. It is also submitted that the petitioner has falsely been implication in this case due to dirty village politics and the alleged allegations are not applicable against the above petitioner either in law or on facts. It is further stated that the petitioner against seven cases pending except this case which is on bail. It is also submitted that the petitioner is man of means and there is no chance of his absconding.

4. The Ld. Addl.P.P. has vehemently opposed the prayer of bail of the petitioner.

5. As per factual matrix of the case the allegation of informant, namely, Kalyan Kumar is as follows :- It is alleged in the fardbeyan that land of the petitioner is at Garaiya Bahiyar on the bank of Kosi River on which at the time of harvest of crops criminals used to show their superiority. The accused persons used to intimidate and threatened the farmer and they also often commits the loot of crops and damage the same. Gangs of accused persons includes the names of Shabnam Yadav, Mukesh Yadav, Nivas Yadav-the petitioner and Prabhash Yadav. It is alleged in the fardbeyan on 25-02-2019 at about 09:50 P.M. the accused persons called the informant through mobile phone and one of the accused persons, namely, Mukesh Yadav demanded extortion of rupees two lakhs from the informant for cutting down the crops from his field. In case of non-fulfillment the ransom amount the informant will be killed.

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6. On the basis of written application of the informant, namely, Kalyan Kumar Bihpur P.S. Case No. 71/2019 dated 26-02-2019 under Sections 384, 506 B.N.S. was registered.

7. As directed case diary of this case has been produced. Perused the same. It transpires from perusal of the F.I.R. direct allegation against the accused petitioner, namely, Nivas Yadav. It also transpires that as per para 14 of the case diary stated the criminal antecedent of the accused petitioner and the petitioner has seven criminal antecedent previously and all the witnesses are supported the prosecution case and the petitioner is directly involved in this said case. Further investigation is still going on.

8. Regard being had to the aforementioned facts I am not inclined to admit the petitioner, namely, Nivas Yadav S/o Late Laxman Yadav on bail. Accordingly his prayer for anticipatory bail is stands **Rejected**.

Nity Kumar
09/04/26
District & Additional Sessions Judge-3rd,
Naugachia, Bhagalpur
Dated 09-04-2026