

In the Court of Sessions Judge, Darbhanga.**B.P. No. 349/2026**

Dhirendar Kumar @ Nagendar Yadav @ Chotu son of Nawal Kishore Yadav @ Nawal Yadav , R/o Village-Kakarghatti, P.S.- Sadar, District-Darbhanga..... Petitioner.

Versus

The State of Bihar..... Opposite Party.

For the petitioner: Sri Madhav Chaudhary, learned Advocate.

For the O.P.(State): Shri A.N. Jha, learned Public Prosecutor.

ORDER

30.04.2026: Application for regular bail has been filed on behalf of the petitioner namely Dhirendar Kumar @ Nagendra Yadav @ Chotu, who is in judicial custody since 18.03.2026 in connection with Darbhanga Sadar P.S. Case No. 322/2025 for the offences U/ss. 126(2), 115(2), 308(2), 352, 351(2), 109, 3(5) of the B.N.S. and section 27 of the Arms Act, pressed today.

2. Heard the learned counsel for the petitioner as well as learned Public Prosecutor on behalf of the State.

3. The allegation is that on the alleged date of occurrence of 03-10-2025 in the night at about 11.30 PM accused Pankaj Kumar Yadav, Nagendar Yadav @ Chotu, Chandan Yadav along with 4-5 other unknown miscreants entered into the house of the informant and started threatening him and also called him out of the house and also abused his father and mother. The accused also stated that the informant earn more and more money and thereafter Pankaj Yadav and Nagendra Yadav pulled out a pistol from his waist and demanded Rs. 5,00,000/- and when it was protested demanded Rs.5000/- per month and informant started running into his house, but accused Pankaj Yadav and Nagendra Yadav resorted to firing but eventually that did not hit the informant. On hue and cry the people of the vicinity came there and save him. The informant has also suspected some foul play at the hands of accused persons, hence the present case.

4. It is submitted on behalf of the petitioner that the petitioner is quite innocent, has committed no offence and has falsely been implicated in this

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case. It has further been submitted that no occurrence has ever alleged or taken place as alleged in the First Information report rather the present case is outcome of police mechanism at the instance of the informant on account of some earlier dispute between the petitioner with the informant. Further submission is that by perusal of material on record neither any person has sustained any injury nor there is any sign of firing or recovery of any arms or used cartridge has ever been made and the whole manner of occurrence stands falsified. The further submission is that as a matter of course there was some dispute of money transaction between the petitioner and the informant three days earlier to the present occurrence there was an altercation and only to defraud the money given by the petitioner the present case has filed. The further submission is that the petitioner is in custody since 18-03-2026 and investigation has already been completed ruling out any possibility of inference by the petitioner. Hence, the petitioner may be granted the privilege of regular bail.

5. On the other hand, the learned Public Prosecutor opposes the prayer of regular bail.

6. Heard and perused the case diary. Para-04 of the case diary reflects re-statement of the informant supporting the occurrence. Para-05 of the case diary reflects description of place of occurrence where the Investigating Officer has found any sign of firing or not made any recovery of exhaustive cartridge or arms from the place of the occurrence. Para no. 7,8 reflects statement of witness supporting the occurrence. Para- 145 of the case diary is the antecedent report of accused Pankaj Kumar Yadav where three other cases is pending against him. Antecedent report of Nagendar Yadav @ Chotu reflects one case is pending against him. Para-231 of the case diary also reflects antecedent report of Pankaj Yadav where additionally one case is reported against him and charge sheet has already been submitted against the petitioner ruling out any possibility of inference by the petitioner.

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7. Under the facts and circumstances of the present case, the nature of allegation material available on the record coupled with period of custody of the petitioner, the prayer for regular bail of the petitioners stand **allowed**. Let the petitioners namely **Dhirendar Kumar @ Nagendra Yadav @ Chotu**, be released on bail on furnishing bail bond of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga with condition that the petitioner shall resist from committing any similar offence in future and the SHO of concerned PS shall regularly supervised the conduct of the petitioner and if any thing is found adverse against his conduct or is found involvement in any crime, the prosecution shall be at liberty to apply for cancellation of bail bond of accused petitioner.

(Dictated)

(Ajay Kumar Sharma)
Sessions Judge,
Darbhanga.
30.04.2026.