

In the Court of Additional Sessions Judge-III, Darbhanga.
(Present: Sri Bhupendra Singh, Additional Sessions Judge-III, Darbhanga)
BP No. 351/2026

(Arising out of Kamtaul P.S Case No.-41/2026, U/s- 126(2), 115(2), 118(1), 117(2), 303(2), 74, 109(1), 325, 324(2), 352, 351(2), 3(5) BNS & 27 Arms Act).

In the matter of :-

Raj Kumar Yadav, S/o- Tej Narayan Yadav, aged about 48 years,
R/o Village- Brahmpur, P.S.- Kamtaul, District- Darbhanga.

----- **Petitioner**

Versus.

The State of Bihar

----- **Opposite Party**

Learned counsel for the petitioner : Md. Quemre Alam Khan, Advocate.

Learned counsel for Opp.Party : Sri Amrendra Narayan Jha, Ld. P.P.

Date of order:- 05.05.2026

ORDER

The petitioner is in judicial custody since 23.03.2026 and praying for regular bail in connection with Kamtaul P.S Case No.-41/2026, under Sections 126(2), 115(2), 118(1), 117(2), 303(2), 74, 109(1), 325, 324(2), 352, 351(2), 3(5) BNS & 27 Arms Act.

It is submitted by the counsel for the petitioner that the petitioner is innocent and has committed no offence and has been falsely implicated in this case. It is further submitted that no application for bail on behalf of the petitioner has been preferred either in this learned Court or before the Hon'ble Patna High Court earlier and no such petition is pending anywhere in any form. It is further submitted that the petitioner is earlier made an accused in Kamtaul P.S Case No.39/2026 under Sections 126(2), 115(2), 118(1), 117(2), 303(2), 74, 109, 352, 351(2), 3(5) BNS.. The petitioner is in judicial custody since 23.03.2026, hence, prayed for bail.

The Learned Public Prosecutor vehemently opposed the prayer for bail.

As per FIR, on 20.02.2026, the accused namely Rajesh Yadav, Pawan Yadav, Rampravesh Yadav, Wife of Rampravesh Yadav, Roshan Kumar Yadav, Utkarsh Yadav, Chandan Yadav, Manju Devi, Md. Qamar, Md. Wahid, Md. Khamiq, Vimlesh Paswan, Naresh Paswan, Kanchan Devi, Marni Devi, Pramod Das and Uttam Kumar Gupta and 20 to 25 unknowns holding iron rods, chain, pistol etc, suddenly assaulted the informant Sita Devi and her family members and in that course, the bullet crossed the ear of herself Gautam Kumar and she also sustained bullet injury in her hand. Her husband was assaulted by iron rod and chain and his both legs were broken and he also sustained head injury. Her daughter Rupam Kumari was also assaulted by iron rod and she sustained head injury. Her another son Santosh Kumar also sustained injury. It has been also alleged that her sister-in-law Rupam Kumari was assaulted by iron rod and she sustained injuries on her legs and bodies. The accused entering into her house looted Rs.1,50,000/- and gold and silver ornaments of worth Rs.80,000/-. They damaged grocery and tea shop and motorcycle of her brother-

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in-law Amar Kumar and threatened to kill her all the family. During the course of assault, a mobile of one of the miscreants fell which was later on found by the informant. It has been also alleged that a bullet also hit a nearby dog. On the basis of written report, the FIR was lodged U/s- 126(2), 115(2), 118(1), 117(2), 303(2), 74, 109(1), 325, 324(2), 352, 351(2), 3(5) BNS & 27 Arms Act.

Perused the case diary. It transpires that the prosecution version finds support from it. It further transpires that the petitioner was not named in FIR and his name first time surfaced in the statement of the injured Laxmi Sah who stated that the petitioner was also involved in the alleged occurrence, who assaulted him by lathi and he sustained head injury but the injury report as mentioned in the case diary shows that the injured Laxmi Sah only had tenderness and swelling present on both legs and right arm and he was advised X-ray and thus, it appears that he has no apparent head injury. Further, there is no allegation against the petitioner that he shot at anyone. The petitioner is in custody since 23.03.2026. It is admitted that there is land dispute between the parties.

Having considered aforesaid facts and circumstances including the period of custody of the petitioner, let the petitioner be **released** on bail on furnishing bail bond of Rs.10,000/- with two sureties of like amount each to the satisfaction of learned CJM, Darbhanga, subject to the conditions as follows;

1. One of the surety must be resident of native place of the petitioner.
2. The petitioner shall fully cooperate into the investigation/trial of the case failing which his bail bond may be cancelled.
3. If it is revealed at any stage of the case that the petitioner has concealed his criminal antecedents to procure the bail from this Court, his bail bond shall be cancelled.

(Dictated)

Sd/-

Addl. Sessions Judge-III, Darbhanga.
05.05.2026