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Santosh Kumar Pandey, D&ASJ – II, Darbhanga
BP No. 354/2026
(Arising out of Simri P. S. Case No. 52/2026)
Lalit Yadav versus the State of Bihar.
Date of Order – 11.05.2026

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-II, DARBHANGA
Bail Petition No. 354/2026

1. Lalit Yadav s/o Late Raj Nandan Yadav, resident of Village - Fulthua, P.S. -
Simri, District - Darbhanga ----- Petitioner

versus

State of Bihar

----- Opposite Party

Appearance(s):

Counsel for the Petitioner(s) : Sri S. L. Yadav, Learned Advocate.

Counsel for the State : Sri A. N. Jha, Learned Public Prosecutor.

Counsel for the Informant : Sri Dr. Ashok Kumar Singh, Learned Advocate.

ORDER
11.05.2026

1. The present application has been preferred on behalf of the petitioner seeking regular bail in connection with Simri P.S. Case No. 52 of 2026, instituted for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS”). The petitioner is stated to be in judicial custody since **03.04.2026**.
2. The prosecution case, as emerging from the First Information Report, is that on 30.03.2026 at about 04:00 PM, owing to previous enmity between the parties, all the accused persons including the present petitioner allegedly surrounded and assaulted the informant. It is further alleged that co-accused Indrajeet Yadav assaulted the informant by means of a sharp-edged khanti causing injury, while co-accused Amarjeet Yadav allegedly removed an amount of Rs. 20,000/- from the pocket of the informant. It is also alleged that in the course of the occurrence, Rahul Yadav, Dhupan Yadav and Arun Yadav sustained injuries. On the basis of the aforesaid allegations, the present FIR came to be instituted.
3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case due to previous enmity arising out of a land dispute between the parties. It

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has further been submitted that the petitioner has no criminal antecedent. Learned counsel further submitted that Title Suit No. 501 of 2025 relating to the disputed land is pending between the parties and that there also exists a case and counter-case arising out of the same occurrence. It has further been contended that the petitioner has remained in judicial custody since 03.04.2026. On the aforesaid grounds, prayer for regular bail has been made.

4. Learned Public Prosecutor appearing on behalf of the State opposed the prayer for bail.
5. Learned counsel appearing on behalf of the informant did not oppose the prayer for bail and fairly submitted that there exists an admitted land dispute between the parties and that there is also a case and counter-case with respect to the same occurrence.
6. I have heard learned counsel for the parties and carefully perused the materials available on record including the case diary. From the materials available on record, it appears that the petitioner has been named in the FIR with the allegation of having instigated or given orders during the occurrence. However, no specific overt act of assault causing grievous injury has been attributed to the petitioner. The principal allegation of assault by sharp-edged weapon has specifically been attributed to co-accused Indrajeet Yadav. It further appears from the injury report available on record that the injuries sustained by the injured persons are simple in nature. The nature of injury is a relevant consideration while adjudicating the prayer for bail, particularly where the allegations arise out of a background of personal and land-related disputes. The materials available on record further reveal that there exists an admitted land dispute between the parties and a title suit bearing T.S. No. 501 of 2025 is pending between them. The existence of case and counter-case arising out of the same occurrence prima facie suggests that the dispute is rooted in pre-existing

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civil discord and strained relations between the parties. As per paragraph 30 of the case diary, the petitioner is stated to have no criminal antecedent. The petitioner has remained in judicial custody since 03.04.2026 and there is nothing on record to indicate that his further detention is necessary for the purpose of investigation or trial. The Court is required to balance the liberty of the accused with the interest of justice, and prolonged incarceration before conclusion of trial should ordinarily be avoided unless warranted by compelling circumstances.

7. Having regard to the facts and circumstances of the case, the nature of accusation, the role attributed to the petitioner, the nature of injury sustained, absence of criminal antecedent, existence of admitted land dispute and counter-case between the parties, and the period of custody already undergone, this Court is of the considered view that the petitioner has made out a fit case for grant of regular bail.
8. Accordingly, the bail application stands **allowed**.
9. Let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned, subject to the conditions prescribed under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Santosh Kumar Pandey)
Additional Sessions Judge-II
Darbhanga
11.05.2026

Date of Judgement/order	11.05.2026
Date of reserving judgement/order	11.05.2026
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