

Page No. 1 of 3
Santosh Kumar Pandey, D&ASJ – II, Darbhanga
ABP No. 778/2026
(Arising out of Sonki P. S. Case No. 56/2026)
Raj Kishore Yadav and others versus the State of Bihar.
Date of Order – 22.06.2026

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-II, DARBHANGA
Anticipatory Bail Petition No. 778/2026

1. Raj Kishore Yadav s/o Sushil Yadav,
2. Gauri Devi w/o Raj Kishore Yadav,
3. Pooja Kumari d/o Raj Kishore Yadav, all are resident of Village - Basudeopur,
Ward No. 3, P.S. - Sonki, District - Darbhanga ----- Petitioners
versus

State of Bihar ----- Opposite Party

Appearance(s):

Counsel for the Petitioner(s) : Sri Achal Kumar Lal, Learned Advocate.

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

ORDER
22.06.2026

1. The present application has been filed on behalf of the petitioners seeking the privilege of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “BNSS”) in connection with Sonki P.S. Case No. 56 of 2026, registered for the offences punishable under Sections 126(2), 115(2), 109, 74, 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS”).
2. The prosecution case, in brief, is that on 28.04.2026 at about 11:00 P.M., all the accused persons allegedly entered the house of the Informant. It is alleged that accused Raj Kishore Yadav caught hold of the Informant by her hair, while accused Pooja Kumari dragged her out of the house. It is further alleged that accused Gauri Devi and co-accused Ghanshyam Yadav assaulted the Informant by means of lathi and danda. The Informant has stated that the occurrence took place on account of a dispute relating to a pathway (*rasta*). On the basis of the aforesaid allegations, the present FIR came to be instituted against four accused persons, including the present petitioners.
3. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and have been falsely implicated due to a land dispute between the parties. It has further been contended that the petitioners have no criminal antecedents and that custodial interrogation is not warranted in the facts and circumstances of the case. Learned counsel further submitted that the

Page No. 2 of 3
Santosh Kumar Pandey, D&ASJ – II, Darbhanga
ABP No. 778/2026
(Arising out of Sonki P. S. Case No. 56/2026)
Raj Kishore Yadav and others versus the State of Bihar.
Date of Order – 22.06.2026

allegations are exaggerated and have been levelled due to previous animosity arising out of the property dispute.

4. Learned Public Prosecutor opposed the prayer for anticipatory bail and submitted that the allegations against the petitioners are serious in nature and involve assault by means of lathi and danda. It has further been submitted that despite repeated communications from the office of the prosecution, the Investigating Officer has not yet succeeded in producing the injury report relating to the Informant.
5. I have heard the learned counsel for the parties and carefully perused the materials available on record, including the case diary. From the allegations made in the FIR, it transpires that petitioner no. 1, namely Raj Kishore Yadav, carries a specific allegation of having caught hold of the Informant by her hair. Petitioner no. 3, namely Pooja Kumari, is alleged to have dragged the Informant out of her house, while petitioner no. 2, namely Gauri Devi, is alleged to have assaulted the Informant along with a co-accused by means of lathi and danda. However, despite the matter having remained pending since 19.05.2026, the prosecution has not been able to place on record any injury report indicating the nature, extent or gravity of the injuries allegedly sustained by the Informant. In the absence of any medical evidence, the allegations regarding assault cannot presently be assessed in terms of the actual injuries caused. This Court cannot keep the matter pending indefinitely solely on account of non-production of the injury report by the investigating agency or the concerned medical authority.
6. At this stage, there is no material available on record to indicate that the petitioners possess any criminal antecedents. Further, no circumstance has been brought to the notice of this Court suggesting that the petitioners are likely to abscond, tamper with evidence, influence witnesses or otherwise obstruct the course of justice if granted the protection of anticipatory bail.
7. It is well settled that while considering an application for anticipatory bail, the Court is not required to undertake a meticulous examination of the evidence collected during investigation. The primary consideration is whether custodial

Page No. 3 of 3
Santosh Kumar Pandey, D&ASJ – II, Darbhanga
ABP No. 778/2026
(Arising out of Sonki P. S. Case No. 56/2026)
Raj Kishore Yadav and others versus the State of Bihar.
Date of Order – 22.06.2026

interrogation of the accused appears necessary in the facts and circumstances of the case. In the present matter, having regard to the absence of the injury report, the nature of the allegations, the background of a property dispute between the parties and the absence of criminal antecedents, custodial detention of the petitioners does not appear necessary for the purpose of investigation.

8. Accordingly, considering the totality of the facts and circumstances of the case, this Court is of the considered opinion that the petitioners have succeeded in making out a fit case for grant of anticipatory bail.
9. Hence, the prayer for anticipatory bail is **allowed**.
10. Let the petitioners, above named, be released on bail in the event of their arrest or surrender before the learned Court concerned within a period of six weeks from the date of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of the learned Court concerned, subject to the conditions prescribed under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Santosh Kumar Pandey)
Additional Sessions Judge-II
Darbhanga
22.06.2026

Date of Judgement/order	22.06.2026
Date of reserving judgement/order	22.06.2026
Uploading Date	23.06.2026
Uploaded by	Ashish Kumar, Stenographer.