

Court of District and Addl. Sessions Judge, Biraul(Darbhanga)

Present:- Sri Shiv Kumar,

Dist.&Addl. Sessions Judge, Biraul.

BP No. 125/2026(Bhupi Yadav and others vs. State of Bihar)

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In the Court of District and Addl. Sessions Judge, Biraul, Darbhanga

BP No. 125 of 2026

In the matter of :-

1. Bhupi Yadav, Son of Late Satya Narain Yadav
2. Om Prakash Yadav, Son of Bhupi Yadav

.....Petitioners.

Vs.

2. The State of BiharOpposite Party.

For the petitioners:- Sri Jitendra Kumar Chaudhary, Ld. Advocate.

For the O.P.(State):- Sri Bachcha Rai, Ld. APP.

Order

19.06.2026 The present bail petition has been filed on behalf of abovenamed petitioners who are in judicial custody since 18.03.2026(P1) and 10.03.2026(P2) respectively, in conneciton with Kuseshwar Asthan PS case No. 173 of 2025, for the offences U/Ss 25(1-b)a, 35 of Arms Act, which is pending in the Court of SDJM, Biraul, Darbhanga.

Heard Sri Suresh Sahani the Ld. Counsel for the petitioners and Sri Bachcha Rai Ld. APP for State.

As per FIR, prosecution case in brief is that informant is posted as Police Sub Inspector of Police at Kuseshwar Asthan PS and on 01.07.2025 at 16:16 hours the informant got information that Ram Sakal Yadav along with his companion were assaulting Madan Yadav. On getting such information informant along with police force proceeded for its verification and reached at village Bahera. The police party saw that one person is found lying on the road in unconscious stage and 8-10 persons were standing there and one person is keeping something in the waist of

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fallen person. Seeing the police party, they were trying to flee away from there and they managed to escape away from there. The chowkidar stated the name of person, who managed to flee away from there as Ram Sakal Yadav, Bhupi Yadav, Sujeet Yadav, Pappu Yadav and Om prakash Yadav and 3-5 persons were not identified by the Chowkidar. It is alleged that one Desi Katta was recovered from the waist of Madan Yadav. The said katta was seized and seizure list was prepared accordingly.

Ld. Counsel for the petitioner submits that the petitioners are quite innocent and they have not committed any offence. The petitioners have falsely been implicated in this false case. No such occurrence did ever take place as alleged in the FIR. The entire allegations leveled against the petitioners are false, baseless and absurd one. No case under the alleged offence of Arms Act is made out against the petitioners. No arms have been recovered from the possession of the petitioners. Co-accused Ram Sakal Yadav has been granted bail by the Ld. Sessions Judge, Camp Court, Benipur by its order dt. 19.11.2025 passed in BP No. 197 of 2025. The petitioners have voluntarily surrendered before the Ld. Court below on 18.03.2026(P1) and 10.03.2026(P2) respectively and since then they are in judicial custody in the present case. The petitioners are ready to abide by all the conditions as imposed by the Court. Therefore the present petition may be allowed.

On the other hand, Ld. Addl. P.P appearing on behalf of the State opposed the prayer for bail.

Heard submissions made at bar and perused the case records of the present case. From perusal of the case records this Court finds that para 2 of the case diary mentions that country made pistol has been recovered from Madan Yadav. The petitioners have not been arrested on the spot. The petitioners are in judicial custody since 18.03.2026(P1) and 10.03.2026(P2) respectively. Co-accused Ram Sakal Yadav has already been granted bail by the Court of Ld. Sessions Judge, Camp Court, Biraul by its order dt. 19.11.2025 passed in BP No. 197/2025. Considering

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the discussions made above, nature of allegation, and the fact that the co-accused has already been granted bail in this case, period of custody as well as other facts and circumstances of the case bail petition of abovenamed petitioners is **allowed**. The petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/ (ten thousand) with two sureties of the like amount each in connection with K.Asthan P.S. Case No. 173/25 to the satisfaction of the Ld. Court below subject to conditions as laid down u/s 480(3) of BNSS.

(Dictated)

(Shiv Kumar)

Addl. Sessions Judge, Biraul

19.06.2026