

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

Present:- Sri Shiv Kumar,

Dist.&Addl. Sessions Judge, Biraul.

BP No. 161/2026(Birju Yadav and others vs. State of Bihar)

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

BP No. 161 of 2026

In the matter of :-

1. Birju Yadav, Son of Late Panchu Yadav
2. Ranjeet Yadav, Son of Ram Yadav

.....Petitioners.

Vs.

2. The State of BiharOpposite Party.

For the petitioners:- Sri Shrawan 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 19.05.2026, in conneciton with Biraul PS case No. 314 of 2026, for the offences U/Ss 329(3), 191(2), 191(3), 126(2), 115(2), 109(1), 117(1), 352, 351(2), 303(2), 324(4) of BNS, which is pending in the Court of ACJM-I, Biraul, Darbhanga.

Heard Sri Shrawan Kumar Chaudhary the Ld. Counsel for the petitioners and Sri Bachcha Rai Ld. APP for State.

The FIR in the present case has been lodged on the basis of application of informant namely Parmeshwar Yadav. The case of the prosecution in brief is that on 16.05.2026 at around 11 PM accused persons as named in the FIR including these petitioners armed with lathi, danda, iron rod entered into the courtyard of informant and upon orders given by Ranjeet Yadav they assaulted informant. Ranjeet Yadav assaulted informant twice with iron rod due to which his right hand got fractured. When Mukesh Yadav, Nandan Yadav and Prince Yadav came to rescue informant

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then they have also been assaulted by the accused. Pradeep Yadav assaulted Mukesh yadav due to his head got fractured, and he has received cut on his finger. Ranjeet yadav assaulted Nandan Yadav with iron rod due to which he received injuries on his head. Uttam Yadav assaulted Prince with knife due to which he received injury below his eyes. Maheshwar Yadav assaulted Sanjay yadav with iron rod on his head. Ranjeet Yadav snatched gold Chakti from Sanajy Yadav. They have destroyed Pulshor motorcyle of informant. They have also taken one box from the house of informant. After that the injured were taken to Phc, Birual from where they have been referred to DMCH.

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. He submits that petitioner No. 1 is an old man of aged about 70 years in age. The petitioners are in judicial custody since 19.05.2026. 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 there is allegation upon petitioners that they have assaulted informant and his family members. The injury reoprt of injured Prince Yadav is attached with the case diary from perusal whereof it appears that he has received injuries which are simple in nature caused by hard and blunt substance. This court further finds that the injury report of injured Nandan Yadav is also attached with the case diary from perusal whereof it appears that he has received lacerated wound on parietal region of head. Para 35 of the case diary

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mentions that injury report of injured Sanjay Yadav, Parmeshwar Yadav, Mukesh Yadav has not been received to IO till date. The petitioner No. 1 is an old man of aged about 70 years in age and he is suffering from severe old aged ailments. The petitioners are in judicial custody since 19.05.2026. Considering the discussions made above, period of custody undergone by the petitioners, nature of allegation, and the fact that despite lapse of considerable time and repeated directions of this court the injury report of other injured persons have not been produced by the IO/State (as the FIR in the present case has been lodged on 18.05.2026 and the present bail petition has been filed on 26.05.2026) 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 Biraul P.S. Case No. 314/26 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