

In the Court of Sessions Judge, East Champaran at Motihari.

Present:-

Abhishek K. Das
Sessions Judge,
East Champaran at Motihari

Bail Petition No. 716 of 2026

- 1. Dharmendra Kumar Yadav @ Dharmendra Kumar, aged about 33 years, S/o-
Laxminarain Yadav.**

Resident of village- Tetariya, P.S. Rajepur, District- East Champaran.

----- **Petitioner.**

Versus

The State of Bihar

----- **Opposite party.**

Counsel for the Petitioner :- Sri Amrendra Kumar, Advocate.

Counsel for the State :- Sri Khooblal Prasad, Public Prosecutor.

17.04.2026

This is a bail petition filed on behalf of the petitioner, namely, Dharmendra Kumar Yadav @ Dharmendra Kumar, who is in judicial custody since 06.02.2026 in connection with Rajepur P.S. Case No. 83 of 2016 u/s 143, 144, 145, 147, 148, 149, 151, 152, 153(a), 160, 295, 295(a), 297, 298, 395, 341, 342, 323, 504 of Indian Penal Code.

As per para-2 of the bail petition, no other regular or anticipatory bail application has ever been filed on behalf of the petitioner either in this Court or before the Hon'ble High Court, Patna. As per para-3 of the bail petition, the petitioner has thirteen criminal antecedents vide (1) Rajepur P.S. Case No. 75 of 2016, (2) 76 of 2016, (3) 78 of 2016, (4) 79 of 2016, (5) 80 of 2016, (6) 81 of 2016, (7) 82 of 2016, (8) 77 of 2016, (9) 84 of 2016, (10) 85 of 2016, (11) 86 of 2016, (12) 87 of 2016 and (13) 91 of 2016. As per para-4 of the bail petition, the petitioner is in judicial custody since 06.02.2026.

As per F.I.R., 300-400 people entered the shop of the informant shouting anti-Muslim slogans, looted the chicken, took away Rs. 2000 cash and set the shop on fire which contained 200 kg live chicken and a bicycle and the informant could not recognize anyone.

The learned counsel for the petitioner has submitted that the petitioner is quite innocent and he has committed no offence. The dispute has been developed between Hindu and Muslims on the occasion of 'Sawami Puja'. The petitioner is not named in the F.I.R. and his name cropped out in the Supervision note of Dy. S.P. Pakaridayal. The co-accused persons have already been granted bail.

The learned Public Prosecutor appearing on behalf of the State has opposed the prayer for bail.

Heard both sides and perused the record. From perusal of the record, it transpires that the F.I.R. is registered against unknown, but from perusal of para-18 of the case diary,

name of the petitioner surfaced in this case, where it is mentioned that the petitioner was also involved in looting and burning the shop of the informant. As per para-3 of the bail petition, the petitioner has thirteen criminal antecedents but sections have not been mentioned. As per para-72 of the case diary, the petitioner has also thirteen criminal antecedents. Other co-accused persons have been granted Anticipatory Bail vide A.B.P. No. 1081/2024 dated 11.07.2024 by the Court of learned 02nd Addl. Sessions Judge, Motihari. However, the petitioner is in judicial custody since 06.02.2026.

Considering the above facts, I am inclined to enlarge the petitioner on bail. Accordingly, the petitioner **Dharmendra Kumar Yadav @ Dharmendra Kumar** is ordered to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below in the aforesaid case, subject to following conditions:-

- (i) that the petitioner shall co-operate in the investigation/trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below,
- (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife,
- (iii) that the bailors shall also state on affidavit that he/she will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse,
- (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail, and
- (v) that the petitioner within two weeks from the date of his release from custody shall appear before the SHO of his local area alongwith a copy of this order and thereafter shall appear before him every fortnightly to mark his attendance till the framing of charge in the case by the trial court.

(Dictated)

Sd/-

Sessions Judge
East Champaran at Motihari
17.04.2026