

IN THE COURT OF SESSIONS JUDGE, GAYAJI
B.P. No. 710/2026
Ashok Yadav & Others Vs. The State of Bihar
Fatehpur P.S Case No.133/2026

27.04.2026

Present :

For the petitioners -----: Sri Rajeev Kumar Singh, Advocate

For the State-----: Sri S.B Ojha, Public Prosecutor

The present petition for regular bail has been filed on behalf of the petitioners namely 1. Ashok Yadav, 2. Malti Devi, and 3. Manish Kumar who are in judicial custody since 11.03.2026 in connection with Fatehpur P.S Case No.133/2026 registered for the offences punishable under sections 191(2), 190, 126(2), 115(2), 109, 74, 352, 351(2), 351(3) of the BNS.

Prosecution case, in brief is that on 04.03.2026 at about 02:00 P.M., the petitioners along with other accused persons entered into the house of informant and started assaulting the informant and his family members. It is further alleged that accused Raghunandan Yadav assaulted with Khanti on his head due to which he sustained head injury. It is also alleged that co-accused Satish Kumar assaulted the informant's brother with iron rod due to which he sustained head injury. It is further alleged that accused/petitioner Manish Kumar assaulted informant's brother with Lathi and threatened to kill the informant and his family members.

Ld. counsel appearing for the petitioners submits that the petitioners are quite innocent and have been falsely implicated in this case. He further submits that there is no specific allegations against these petitioners rather the allegations levelled against them are general and omnibus in nature and in respect of same incident two cases were registered, one being Fatehpur P.S Case No.133/2026 and the other being Fatehpur P.S Case No.132/2026 as both the parties sustained some injuries in the freefight. He further submits that the incident took place on 04.03.2026 and the FIR was got registered after the

delay of four days. He further submits that petitioners having no criminal antecedent are lying in judicial custody since 11.03.2026.

Ld. P.P has also been heard in opposition.

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I have considered the aforesaid submissions and have perused the case record as well as case diary. After perusal of case record, it is found that for the same incident two cases were got registered one being the present one and the other being Fatehpur P.S Case No.132/2026. Upon perusal of case diary, more specifically as per para-35 of the case diary, the petitioners carry no criminal antecedent. The witnesses have supported the prosecution case. The petitioners having no criminal antecedent are languishing in jail since 11.03.2026. Further, upon perusal of the injury report, the injury of injured Opendra Kumar, Ranjit Kumar and Lakshman Kumar appears to be simple in nature and the injury of injured namely Amrik Yadav appears to be reserved till radiological report.

Considering the aforesaid submissions, the prayer for bail of the petitioners is hereby **allowed**. The petitioners are directed to be released on bail on furnishing bail bond of **Rs.25,000/-** with two sureties of the like amount each to the satisfaction of the court concerned with additional condition that :

1. One of the bailors shall be close relative of the petitioners who shall file an affidavit to the effect that petitioners have no criminal antecedent except the present one as has been claimed in para-3 of the bail petition.

(Dictated and corrected)

Sd/-
(P.K. Malik)
Sessions Judge, Gayaji
27.04.2026

Date of Judgment/Order	27.04.2026
Date of reserving Judgment/Order	N/A
Uploading Date	28.04.2026
Uploaded by	Steno (Vikash Kumar)