

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Regular Bail Petition No. 432 of 2026

(Arising out of Bhore P.S. Case No. 122 of 2026, registered U/S 126(2), 115(2), 118(2), 109, 303(2), 351(2) and 352/3(5) of the B.N.S.)

In the matter of :-

Name of the petitioner	: Subash Yadav.
F.I.R. U/S	: 126(2), 115(2), 118(2), 109, 303(2), 351(2) and 352/3(5) of the B.N.S.
Charge-Sheet U/S	: not submitted.
Counsel for the Petitioner	: Shri Sarwanand Sinha, ld. Adv.
Counsel for the State	: Shri Deo Vansh Giri, ld. P.P.

ORDER

02-06-2026

1. This Bail Application filed on behalf of above named accused-petitioner, who is in judicial custody since 15-04-2026, in connection with Bhore P.S. Case No. 122 of 2026, registered U/S 126(2), 115(2), 118(2), 109, 303(2), 351(2) and 352/3(5) of the B.N.S., is put up for hearing today.

2. As per the FIR, prosecution case in brief is that on the basis written application of the informant, Bhore P.S. Case No. 122 of 2026 has been lodged against the petitioners and others. It is inter alia alleged in the F.I.R. that on 04-03-2026, informant unloading the sand in Badakagaon was returning to his house on foot. At about 14:30 O'clock, informant arrived near the house of one Fenku Yadav in his village, in the meanwhile, all the accused persons including this petitioner owing to the previous dispute, through a conspiracy armed with lathi-danda, Gandasi and sharp-dab encircled him and started assaulting him with fists and slaps. Petitioner Subash Yadav inflicted Gandasi blow repeatedly upon the informant and he sustained 2-3 cut injuries in his head. In the meanwhile, accused Surendra Yadav inflicted dab blow several times and he sustained 2-3 cut injuries on his head and sustained bleeding injuries and fell down. When informant's wife Babita Devi came to rescue the informant, accused Jitendra Yadav inflicted bamboo blow on her head repeatedly and she sustained bleeding injury on her head and she fell down. When informant younger brothers Brijesh Yadav, Nitesh Yadav and his mother came to rescue the informant, all the accused persons assaulted them with lathi-danda. Accused Bijali Yadav inflicted lathi blow on the head of informant's brother Brijesh Yadav and he sustained bleeding injury on head and he fell down and he was assaulted by lathi and he sustained injury in his back. Accused Bijali Yadav inflicted lathi blow on the head of informant's brother Nitesh Yadav and he sustained bleeding injury in his head and he fell

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down. Accused Amnshu Kumar, Kalpana Kumari, Bhagmani Devi and Ramawati Devi assaulted the mother of informant with lathi-danda and she sustained injury and she sustained fracture injury in her finger. Accused Subash Yadav snatched Rs. 42,000/- from the informant.

3. It is submitted on behalf of accused/petitioner that he is innocent and has committed no offence and has been falsely implicated in this case. It is further submitted that petitioner bears clean past. It is further submitted that all the Sections alleged in this case are bailable except Sec. 109 and 303(2) of the B.N.S., Which is super-addition and there is only allegation against the petitioner of assaulted the informant with Garasi but nobody has sustained sharp cut injury, hence the allegation against him becomes false. It is lastly submitted that petitioner and informant are pattidar and informant in drunken condition assaulted the petitioner and his family members for which Bhore P.S. Case No 121/2026 has been lodged and only with a view to make pressure upon the petitioner, this case has been filed. On such strength, prayer for bail has been made by the petitioner.

4. Heard ld. Counsel appearing on behalf of the petitioner as well as ld. P.P. for the State. Ld. P.P. for the State has opposed the prayer for bail of the petitioner.

5. Having heard both the parties and perused the case record. From the perusal of the F.I.R. as well as case record, it transpires that petitioner is named in the F.I.R. against whom there is allegation that he has allegedly inflicted Gandasi blow repeatedly upon the informant and he sustained 2-3 cut injuries in his head and he has allegedly snatched Rs. 42,000/- from the informant. It appears that there is previous dispute between the parties. Although, witness and injured witness at para-08 and 21 of the case diary have fully supported the case of the prosecution but they have stated that there is land dispute and previous dispute between the parties. From perusal of the injury reports of injured persons at para-33, 35, 36 and 37 of the case diary, it appears that injuries are found to be simple in nature. There is no mention of any criminal antecedent of the petitioner in the case diary. From perusal of the record, it appears that there is case and counter-case between the parties and the matter appears to be of free-fighting. It further appears that four co-accused persons have been granted anticipatory bail by this court in A.B.P. No. 954/2026 and two co-accused persons have been granted bail by this court in B.P. No. 272/2026. The petitioner appears to be in custody since 15-04-2026.

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6. Considering the aforesaid facts and circumstances of this case and considering the period of custody of the petitioner and without going into the merit of this case, this court is inclined to grant bail to the petitioner and hence, the same is hereby allowed. Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the Id. Court below **subject to conditions that one of the bailors shall be close relative of the petitioner and one shall be local and petitioner shall file an undertaking that he shall not temper with the evidence and he shall co-operate in the investigation/trial.**

Let a copy of this order along with lower court record be sent to the Id. Lower court for information and needful.

(Dictated)

(Geeta Gupta)
Principal Sessions Judge, Gopalganj.