

**THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- II, JAMUI**  
**RUBI DEVI & OTHERS VS. THE STATE OF BIHAR**  
**A.B.A. NO. - 311 Of 2026**

**ORDER**

**Present: Sudhir Sinha**

**07.04.2026**

This anticipatory bail petition has been filed on behalf of petitioners **1. Rubi Devi and 2. Chandradeo Yadav @ Chano Yadav** who are apprehending arrest in Barhat P.S. Case No. 14/2026 registered u/s-126(2), 115(2), 117(2), 109, 303(2), 352, 351(2), 3(5) of B.N.S, the copy of which is served upon the Id. P.P.

The Id. Counsel for the petitioners has submitted that no bail petition was filed either in this Court or before the Hon'ble High Court, Patna except this petition. That petitioner no. 2 has got one Forest case no. 180C2/2022 in which he is on bail and one other criminal case vide Barhat P.S Case No. 58/2015 and petitioner no. 1 has got no criminal antecedent. The police did not give notice u/s 35(3) of B.N.S.S to the petitioners. This instant case is counter case. All sections areailable except Section 109 B.N.S. which is completely super added and ornamental in order to make the offence non-ailable. As per Id. Counsel the petitioners are innocent, have committed no offence and have falsely been implicated in this case. The co-accused Sanjay Yadav has been granted bail by Id. D.A.S.J-II, Jamui vide B.A No. 101/2026. The petitioners are men of means and there is no chance of their absconding and are ready to furnish bail bond to the satisfaction of Id. Court. In such view the Id. Counsel prayed to admit the petitioners to anticipatory bail.

The Id. Addl. PP opposed the prayer for bail.

On perusal of the case diary it is clear that the petitioners are F.I.R. named accused persons. The prosecution case as per written information of Sahdev Yadav is that on 29.01.2026 at 1:00PM, he along with his brother Laldev Yadav had gone to see their plot near the Vishanpur Mauja, Gidarpati. His plot was surrounded by iron wire. When he reached at the plot he saw Sanjay Yadav, Rubi Devi, Munna Yadav, Chano Yadav, all forcibly made a road on his plot. Upon his objections all the accused persons abused him. The accused persons were armed with weapons e.g. tangi, iron rod and lathi. Chano Yadav ordered his son and son-in-law to kill him. Sanjay Yadav having lathi in hand and with intention to kill, assaulted his brother Laldev Yadav causing cut at palm and forehead and it started bleeding. When he came to save his brother Munna Yadav with intention to kill, assaulted him with iron rod causing cut at left eye and he was injured. Rubi Devi assaulted with lathi at the head of both brothers and they got internal pain. Chano Yadav assaulted him with iron rod. During fight Rubi

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Devi snatched his Titan watch worth Rs. 2500/-. All the accused persons took the iron wire. Upon the hue and cry nearby villagers came to save him. He was treated upon at Barhat Hospital and then referred to Sadar Hospital Jamui. The informant in his re-statement in CD para-2 has stated the same facts. The injured witness in CD paras-5, 6 have supported the incident. In CD para-36 there is no criminal antecedent against the petitioner no. 1 and there are two one criminal cases vide Barhat P.S Case No. 58/2015 and Forest Act Case No. 180C2/2022 against the petitioner no.2. As per injury report of Laldev Yadav in CD para-37 (1) Bleeding wound above the left eye caused by hard blunt substance. While as per injury report of Sahdev Yadav (1) Bleeding wound on the forehead, all injuries have been found to be simple in nature by the doctor. The doctor has not mentioned the date and time when he examined the injured. The injured persons have erred in describing the injuries sustained by them as the doctor has found the injury on the person of Laldev Yadav which was told by Sahdev Yadav to have been sustained by him and vice-versa. The allegation of theft is superaddition. The co-accused have been granted bail by this Court. The assault by Chano Yadav is not specific. There is case and counter case and admittedly there is land dispute between the parties.

Therefore in view of the facts and circumstances of this case having regard to the submission of both parties, this anticipatory bail petition is **allowed**. The petitioners **1. Rubi Devi and 2. Chandradeo Yadav @ Chano Yadav** in the event of their arrest or surrender are directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the concerned Court.

Dictated & Corrected

District & Addl. S.J -II, Jamui

07.04.2026