

In the Court of Sri Sandip Singh, Principal District & Sessions Judge, Jamui

A.B.A.No.349/2026

(Arising out of Garhi P.S. Case No.38/2026)

1. Baso Devi W/o Pramod Yadav aged about 48 years resident of village Chipatarh, P.S. Garhi, District Jamui.

.....**Petitioner.**

Vrs.

The State of Bihar.....**O.P.**

(with)

A.B.A.No.363/2026

(Arising out of Garhi P.S. Case No.38/2026)

1. Pramod Yadav S/o Radho Yadav aged about 26 years,

2. Jobraj Yadav S/o Late Prasadi Yadav aged about 50 years,

Both resident of village Chipatarh, P.S. Garhi, District Jamui.

.....**Petitioners.**

Vrs.

The State of Bihar.**O.P.**

25.5.2026

1. **One anticipatory bail application No.349/2026** has been filed on behalf of the **petitioner Baso Devi**, and another **anticipatory bail application No,363/2026** has been filed on behalf of the **petitioners namely 1) Pramod Yadav, and 2) Jobraj Yadav**. These two applications arises out of the same case i.e. **Garhi P.S. Case No.38/2026 registered U/s.126(2), 115(2), 117(2), 118(2), 109, 352 and 351(2) read with 3(5) of the B.N.S.** pending in the court of Sri Ahsan Rashid, J.M.1st, Jamui (Now Ms. Medha Manisha, J.M.1st class, Jamui) Hence, **both are taken up together** for hearing and disposal by a common orders.

2. Heard Sri Sitaram Singh, the learned counsel for the petitioners and the learned P.P. for the State.

3. The prosecution case, in short, is that the informant Sunil Yadav has lodged the instant case by way of submitting an application before the SHO of Garhi Police Station alleging therein that on 26.2.2026 when the work of Nal-jal Yojana was going on and for that digging of soil near the house of Pramod

Yadav was started, then at the same time, total six accused persons including the petitioner having variously armed with came out from their home and assaulted to the brother of the informant namely Tuntun Yadav. It is specifically alleged against petitioner Pramod Yadav that he struck on the head of Tuntun Yadav by iron rod, consequently, he got injury on his head and became senseless. Thereafter, accused Radho Yadav assaulted on his right limb, and when another brother of the informant namely Prakash Yadav came in his rescue, then petitioner Jobraj Yadav assaulted to Prakash Yadav by iron rod. The allegation against the other co-accused is that when Tuntun Yadav became senseless, then they repeatedly assaulted him by a stick alongwith other female accused persons. The accused persons have also threatened for dire consequences if any case has been registered before the police. It is lastly alleged that the informant shifted his brother Tuntun Yadav to the sadar hospital, Jamui for treatment but due to his serious condition, he was referred to the P.M.C.H.Patna and he is still under treatment.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent and falsely implicated in this case. The petitioners have clean antecedents. It is also submitted on behalf of the petitioners in ABA.No.363/2026 that there is specific allegation of assault by the petitioners Pramod Yadav and Jobraj Yadav, but there is no any injury report mentioned in the case diary and a report was submitted by the concerned doctor, in which, the doctor has reported vide his report dated 10.3.2026 that no any injury report had been recorded/maintained at the time of admission/presentation of patient on 26.2.2026 at sadar hospital, Jamui. Moreover, other co-accused has been granted regular bail by this court vide B.A.No.204/2026 dated 18.4.2026.

5. The learned P.P.for the State has opposed the prayer for anticipatory bail but conceded that no any injury report has been received as yet.

6. Considering the aforesaid facts and circumstances of the case, and further considering the particular fact that the petitioners have clean antecedent. Though, there is specific allegation of assault against the petitioners namely Pramod Yadav and Jobraj Yadav (vide ABA.No.363/2026), but there is no any corresponding injury available and the doctor has reported vide his report dated 10.3.2026 that no any injury report had been recorded / maintained at the time of admission / presentation of patient on 26.2.2026 at sadar hospital, Jamui.

Moreover, other co-accused has been granted regular bail by this court vide B.A.No.204/2026 dated 18.4.2026.

Hence, in view of the aforesaid facts, let the petitioners be released on anticipatory bail in the event of their arrest or surrender before the court below within four weeks from the date of the order on furnishing bail bonds of Rs.10,000/-with two sureties of the like amount each to the satisfaction of the learned court below subject to the conditions as laid down U/s.482(2) of the B.N.S.S. **with further conditions that one of the bailors of the petitioners must be their close relative, and petitioners shall remain present before the court below on each and every date, failing to appear on two consecutive dates without any cogent reason shall result in cancellation of their bail bonds.**

(Dictated)

(Sandip Singh)
Principal District & Sessions Judge, Jamui.