

IN THE COURT OF AMIT KUMAR, ADDL. SESSIONS JUDGE V, JAMUI

----- (A.B.A. No. 491/2026) -----

Arising out of Khaira P.S. Case No. 115/2021, District-Jamui

Chhotu Yadav Vs. State of Bihar

For Petitioner : Ld. Counsel Sri. P. N. Singh.

For The State : Ld. Addl. P. P. Sri. Sanjeev Kumar Singh.

Date of order : 15.05.2026

1. The present anticipatory bail application has been filed on behalf of the accused petitioner namely **Chhotu Yadav, S/o Shankar Yadav, aged about 30 years, R/o Vill- Keluadih, PS.- Khaira, District- Jamui**, who is apprehending his arrest in connection with Khaira P.S. Case No. 115/2021 registered under sections 341, 323, 307, 354, 504 and 506 of the I.P.C.

2. As per FIR, informant Thakuri Yadav alleges that on dated 10.04.2021 at about 11:00 AM, he called a thrasher for thrashing weight upon which accused Shankar Yadav objected to run thrasher there and demanded rupees ten thousand as 'Rangdari' thereafter only could he allow running thrasher there. Meanwhile, accused Shankar Yadav, Chhotu Yadav, wife of Shankar Yadav came there and accused Shankar Yadav assaulted the informant with spear on his head due to which he fell down there itself. When his wife Sunita Devi came to rescue him, the son of Shankar Yadav namely Chhotu Yadav tried to outrage her modesty. It is further alleged that wife of Shankar Yadav instigated him to assault upon the wife of informant saying her 'Dian' whereupon accused Shankar assaulted informant's wife due to which she sustained cut injury on her wrist. It is further alleged that all the accused persons took away valuable belongings from his house. On the basis of above FIR was registered against the accused persons.

3. Ld counsel for the petitioner submitted that the petitioner is quite innocent and has committed no offence and has falsely been implicated in this case. No other bail application on behalf of the petitioner is pending in this court or any other court except the present one. The petitioner has no criminal antecedent. Both the parties are gotiya, having their house situated adjacent to each other. There is land dispute in between the parties. All the alleged sections are bailable except section 307 and 354 of the I.P.C. which are not made out against the petitioner. The allegation of outraging the modesty is also baseless. Therefore, it has been prayed that the accused petitioner may kindly be enlarged on anticipatory bail.

4. On the other hand, learned Addl. P.P. for the state has opposed the prayer for anticipatory bail.

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5. Heard both the parties in detail and perused the record.
6. The FIR has been registered for the offence punishable under sections 341, 323, 307, 354, 504 and 506 of the I.P.C. Re-statement of informant has been recorded vide para no. 2 and statement of witnesses has been recorded vide para no. 3, 7, 22, 23 and 38 of the case diary. Injury report of injured has also been mentioned at para no.15 of the case diary.
7. On perusal of the record, it reflects that though the petitioner is named in the FIR however there is no specific allegation of assault has been levelled against the petitioner. From further perusal of record, it transpires that after investigation, the instant petitioner was not sent up for trial, however, the petitioner was summoned by the Ld. Cognizance court on dated 15.11.2021. The case pertains to the year of 2021 and charge-sheet has already been filed in the instant case and no fruitful purpose would be served by sending the accused behind the bar.
7. Considering aforesaid facts and circumstances of the case, general and omnibus nature of allegation against petitioner, the anticipatory bail application of the petitioner namely **Chhotu Yadav, is hereby allowed.** Accordingly, it is ordered that at the event of arrest or surrender of the above-named petitioner before the court below within a period of four weeks from the date of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of learned court below with the conditions as laid down 438(2) of the Cr.P.C.
9. O/C is directed to send back lower court record along with a copy of this order to the concerned court for needful.

Dictated

Sd/-

Addl. Sessions Judge - V, Jamui

Copy forwarded to the court concerned

Addl. Sessions Judge - V, Jamui