

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

-----**(B.A. No. 263/2026)**-----

Arising out of Garhi P.S. Case No. 56 Year 2026, District-Jamui

Bipin Yadav @ Bipin Kr. Yadav Vs. State of Bihar

For Petitioner : Ld. Counsel Sri. Manoj Kumar Pandey.

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

For Informant: Ld. Counsel Sri Chanchal Kr. Dubey.

Date of order :13.05.2026

1. The present regular bail application has been filed on behalf of the accused petitioner namely **Bipin Yadav, S/o Shyam Sunder Yadav, aged about 28 years, R/o Vill-Darima, P.S.-Garhi, District-Jamui**, who is languishing in jail custody since 05.04.2026 in connection with Garhi P.S. Case No. 56 Year 2026 registered u/s 126(2), 115(2), 118(1), 109(1), 352, 351(2) and 303(2) of the B.N.S.
2. The prosecution case in brief is that informant Sunita Devi alleges that accused persons namely Bipin Yadav and Manta Devi entered into her house and accused Bipin Yadav having armed with Lathi assaulted her husband due to which her husband sustained head injury and accused Mamta Devi having armed with sword assaulted the informant due to which she sustained cut injury on her hand. She further alleges that accused Mamta Devi assaulted on the head of informant's son namely Pawan Kumar with sword due to which he sustained head injury. It is further alleged that the accused persons also looted away cash and valuable jewelry from the house of and in-person of the informant. It is further stated that the accused persons earlier also assaulted the victims. On the basis of above, FIR was registered against the accused persons.
3. Learned counsel for the petitioner submitted that petitioner is quite innocent and has committed no offence and has falsely been implicated in this case due to family dispute. No other bail application is pending against the petitioner in any court except the present one. The petitioner has criminal antecedent in one case i.e. Khaira P.S. Case No. 146/2021. As a matter of fact, the informant, her son and husband assaulted the petitioner due to which this petitioner sustained serious injury against which Garhi P.S. Case No. 55/2026 has been lodged against the informant and her family members and the instant case is counter blast of the same. All the sections are bailable except sections 303(2), 118(1) and 109(1) which are not made out against the petitioner. The petitioner is in custody since 05.04.2026, therefore, it is prayed to enlarge the petitioner on regular bail.
4. On the other hand, learned Addl. P.P. assisted by Ld. Counsel for informant vehemently opposed the prayer for bail.

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5. Heard both parties in detail and perused the record.
6. The present FIR has been registered for offence punishable, under sections 126(2), 115(2), 118(1), 109(1), 352, 351(2) and 303(2) of the B.N.S. The re-statement of informant has been recorded vide para no. 21 of the case diary and statement of witnesses have been recorded vide para no. 6, 7 and 8 of the case diary. Injury reports of injured persons namely Naresh Yadav, Sunita Devi and Pawan Kumar have also been placed on record.
7. Perusal of record reflects that though the accused petitioner is named in the FIR and there is allegation of assault against him, however, from perusal of record it transpires that there is no specific allegation of assault with an intention to kill the victim has been levelled against this petitioner. The allegations as levelled are general and omnibus in nature. The injury of injured persons namely Naresh Yadav, Sunita Devi and Pawan Kumar have been opined as simple in nature. The petitioner is languishing in jail custody since 05.04.2026.
8. Considering aforesaid facts and circumstances of the case and taking into consideration, the nature of allegation against the petitioner coupled with period of incarceration, the regular bail petition of the petitioner namely **Bipin Yadav @ Bipin Kumar Yadav, is hereby allowed.** He is directed to be released on bail by furnishing bail bond of Rs. 10,000/-with two sureties of like amount each to the satisfaction of learned trial court, subject to the conditions as laid down u/s 480(3) of the B.N.S.S.
9. O/C is directed to send back lower court record, if any, along with a copy of this order to the court concerned for needful.

Dictated

Sd/-

Addl. Sessions Judge - V, Jamui

Copy forwarded to the court concerned

Addl. Sessions Judge - V, Jamui