

THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- II, JAMUI
RAJO YADAV & 3 others VS. THE STATE OF BIHAR

A.B.A. NO. - 706 of 2026

Charkapathar P.S Case No.-90/2025

ORDER

Present: Sudhir Sinha

24.07.2026

This anticipatory bail petition has been filed on behalf of petitioners **1. Rajo Yadav, 2. Manju Devi, 3. Rupa Devi and 4. Rani Devi** who are apprehending arrest in Charkapathar P.S. Case No. 90/2025, SI No.-2549/2025 registered u/s- 115(2), 126(2), 110, 352, 351(2), 3(5) of B.N.S, the copy of which is served upon the ld. P.P.

The ld. Counsel for the petitioners has submitted that previously the petitioners had filed A.B.A No. 1568/2025 which was dismissed for non-prosecution by this court and after that no bail petition was filed either in this ld Court or before Hon'ble High Court, Patna except the present one. The petitioners have got no criminal antecedent. The police did not give notice u/s 35(3) of B.N.S.S to the petitioners. All the sections are bailable except section 110 BNS which is not applicable against the petitioners. The father of the informant and Bharat Yadav and petitioner Rajo Yadav are own brother and are having family dispute. As per ld. Counsel the petitioners are innocent, have committed no offence and have been falsely implicated in this case. The petitioners are persons of means and there is no chance of their absconding and are ready to furnish bail bond to the satisfaction of ld. Court. In such view the ld. Counsel prayed to admit the petitioners to anticipatory bail.

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

On perusal of LCR and the case diary it is clear that the petitioners are F.I.R. named accused persons. The prosecution case as per written information of Pankaj Kumar is that on 09.08.2025 at about 7:30 in the morning, Rajo Yadav started abusing him and assaulted at his head due to which there was a cut and it started bleeding. Upon the hue and cry, nearby people came to save him. Rajo Yadav told him to vacate the house and flee away and there will be no partition of the land. Manju Devi, Rupa Devi and Rani Devi all assaulted him. The informant in CD para-2 has stated the same facts. The witnesses in CD paras 3, 7, 22, 23 have supported the occurrence. As per CD para-16

THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- II, JAMUI
RAJO YADAV & 3 others VS. THE STATE OF BIHAR

A.B.A. NO. - 706 of 2026

Charkapathar P.S Case No.-90/2025

ORDER

Present: Sudhir Sinha

.....

the injury report shows (I) Lacerated wound on right Temporal region of head size (1"x1/6"x1/8") which as per the doctor is simple in nature caused by hard and blunt substance. IO has submitted the chargesheet no. 100/2025 dated 30.09.2025 against the petitioners. As per CD para-33 the notice u/s-35(3) has been served to the petitioners. Therefore applying the principle enumerated in Satendar Antil V CBI that when the investigating agency did not find it necessary to arrest the accused persons during investigation and submitted the chargesheet, no fruitful purpose shall be served by sending such persons to jail by the Court.

Therefore in view of the facts and circumstances of this case having regard to the submissions of both parties, this anticipatory bail petition is **allowed**. The petitioners **1. Rajo Yadav, 2. Manju Devi, 3. Rupa Devi and 4. Rani Devi** in the event of their arrest or surrender are directed to be released on bail on furnishing bail bond of Rs. 1000/- with two sureties of the like amount each to the satisfaction of the concerned Court and as per condition of Section 438 (2) Cr.P.C.

Dictated & Corrected

District & Addl. S.J -II, Jamui
24.07.2026