

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

-----**(B.A. No. 379/2026)**-----

Arising out of Mohanpur P.S. Case No. 61 Year 2026, District-Jamui

Sitabi Yadav & Anr. Vs. State of Bihar

For Petitioner : Ld. Counsel Sri Parimal Kumar Singh.

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

For Informant: Ld. Counsel Sri Akshay Kr. Yadav.

Date of order : 04.07.2026

1. The present regular bail application has been filed on behalf of the accused petitioners namely **1. Sitabi Yadav**, S/o Late Chetan Yadav, aged about 26 years and **2. Lalu Yadav**, S/o Late Chetan Yadav, aged about 22 years, both **are R/o Vill- Maghi, P.S.- Mohanpur, District-Jamui**, who are languishing in jail custody since 20.05.2026 in connection with Mohanpur P.S. Case No. 61 Year 2026 registered under sections 126(2), 115(2), 117(2), 109(1), 352, 351(2) and 3(5) of the B.N.S.

2. The prosecution case in brief is that informant Nirpat Yadav alleges that on dated 19.05.2026 at about 10:30 am, he got measured his land by *Amin*. After completion of land measurement, when his wife namely Rina Devi went near handpump to get water, his *Bhabho* and aunt namely Kajal Devi and Phulba Devi started abusing his her and also started committing mar-pit with her. When informant's son namely Piyush Kumar went to rescue his mother accused namely Sitabi Yadav assaulted him with Lathi-Danda due to which he sustained head injury. When the informant went to rescue his son, accused persons namely Lallu Yadav and Bhairo Yadav assaulted on his hand with lathi and rod due to which his hand got fractured. The accused persons also committed mar-pit with his family members. However, somehow he and his family members could be saved with the help of his brother Lekho Yadav and were admitted to nearest hospital. On the basis of above, FIR was registered against the accused persons.

3. Learned counsel for the petitioners submitted that petitioners are quite innocent and have committed no offence and falsely been implicated in this case due to land dispute. No other bail application is pending against the petitioners in any court except the present one. The petitioners have no criminal antecedent. All the sections are bailable except section 109(1) of the B.N.S. which is not applicable against the petitioners. From perusal of FIR it reflects that informant and these petitioners belong to same family and there is land dispute in between them. The allegation against petitioner no. 1 is totally false and concocted and that of petitioner no.2 is not specific. The petitioners are languishing in judicial custody since 20.05.2026, hence, it is prayed to enlarge the petitioners on regular bail.

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

-----**(B.A. No. 379/2026)**-----

Arising out of Mohanpur P.S. Case No. 61 Year 2026, District-Jamui

Sitabi Yadav & Anr. Vs. State of Bihar

4. On the other hand, learned Addl. P.P. vehemently opposed the prayer for bail.
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), 117(2), 109(1), 352, 351(2) and 3(5) of the B.N.S. Re-statement of informant has been recorded vide para no.2 of the case diary and statement of witnesses has been recorded vide para no. 13, 52, 53, 54 and 55 of the case diary. Injury reports of injured persons are also attached with the case diary.
7. Perusal of record reflects that though the accused petitioners are named in the FIR and there is allegation of assault against them. However, from perusal of record it transpires that both parties are gotiya and there is land dispute in between them. Injury reports of both the injured have been opined as simple in nature. The petitioners are languishing in jail since 20.05.2026.
8. Considering aforesaid facts and circumstances of the case, the nature of injury coupled with period of incarceration, the regular bail petition of the petitioners namely **1. Sitabi Yadav and 2. Lalu Yadav, is hereby allowed.** They are 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