

COURT OF ADDITIONAL SESSIONS JUDGE-IV, JAMUI

A.B.A.NO.-781/2026

Binod Yadav Vs. The State of Bihar.

A.B.A.NO.-781/2026

Arising out of Charkapathar P.S Case No.-41/2026

U/S- 126(2), 115(2), 76, 352, 351(2), 3(5) of B.N.S

Learned counsel for the Petitioner..... Sri Mukund Kumar Singh, Ld. Advocate

Learned counsel for the State.....Sri Dhiraj Kr. Singh, Ld. A.P.P.

**PRESENT-PRABHAT KUMAR SRIVASTAVA
DISTRICT AND ADDL. SESSIONS JUDGE-IV, JAMUI
DATE OF ORDER- 13th, July 2026**

ORDER

13-07-2026

Anticipatory bail application filed on behalf of petitioner Binod Yadav S/o Bhuna Yadav R/o Vill- Bhagwana, P.S- Charkapathar, District- Jamui in connection with **Charkapathar P.S Case No.-41/2026**, U/S- **126(2), 115(2), 76, 352, 351(2), 3(5) of B.N.S**, is put up before me for order today. Copy of bail petition has duly been given to Ld. A.P.P.

The prosecution case in brief as per F.I.R is that on 15-03-2026 at about 12:00 A.M midnight informant was sleeping in her house suddenly Vinod Yadav entered into her house and he forcefully snatched her saree and blouse and tried to rape her. Informant started shouting after hearing her noise her father in law and brother-in-law reached there and the accused fled away. The informant was talking with her family member in the mean time accused Vinod Yadav, Bhudev Yadav, Jagdish Yadav and Nitish Yadav armed with pistol, sword and lathi came there. They abused and threatened the informant and her family member. Ranjeet Yadav threatened the informant and her family member on the point of pistol.

Learned counsel for the petitioner submitted that he is quite innocent and has committed no offence and has falsely been implicated in this case with an ulterior motive. He further submitted that no bail application either anticipatory or regular on behalf of the petitioner has been filed or rejected either by the Sessions Court or by the Hon'ble High Court Patna earlier. The petitioner has no criminal antecedent. The petitioner has not been given benefit of provision contained U/s- 35(3) of B.N.S.S. Allegation leveled against the petitioner is totally false frivolous and concocted. There is general and omnibus allegation against the petitioner. There is land dispute between both the parties. The persons of informant side assaulted the petitioner badly with weapon. Thus, it is submitted that he may be allowed bail.

On the other hand learned A.P.P. opposed the bail application.

Heard the submission made by both the parties. Allegation against the petitioner Binod Yadav is that he entered into the house of informant and tried to outrage her modesty on her. He pulled off the saree and saya of informant, on protest he shut the mouth of informant and torn her blouse. Again this petitioner along with others came on the house of informant and threatened her and her family member. The witnesses in Paras-5, 6, 7, 16, 30 and other relevant Paras of the Case-diary have supported the occurrence. There is land dispute in between the parties. There is case and counter case in between the parties. This case was informed to police on 23-03-2026 after eight days of alleged occurrence and there is no explanation for delay in lodging the F.I.R. This

COURT OF ADDITIONAL SESSIONS JUDGE-IV, JAMUI

A.B.A.NO.-781/2026

Binod Yadav Vs. The State of Bihar.

case seems to have lodged after thought with a view to save the skin from the case of informant lodged on 16-03-2026 on the basis and occurrence dated:- 15-05-2026. So, having considered the facts and circumstances mentioned above and taking into account this fact that this case has been lodged after delay of eight days and there is no explanation of delay and the offence is punishable with punishment upto seven years, I am of the view to allow bail to the petitioner. Accordingly, in case of arrest or surrender within one month of receiving the order the petitioner is directed to be released on bail on furnishing a bail bond of Rs. 20,000/- with two sureties of like amount each to the satisfaction of Ld. Trial court with condition that one of the bailor will be family member/ close relative of the petitioner and he will remain physically present and co-operate in investigation and trial. Accordingly, prayer for anticipatory bail is **Allowed** hereby.

Dictated

(Prabhat Kumar Srivastava)
District & Addl. Sessions Judge-IV,

Jamui

Date of judgment/order	13 th , July 2026
Date of reserving judgment/order	-Nil-
Uploading date	13 th , July 2026
Uploaded by	Shraddha Sharma