

Court of Addl. Sessions Judge I , Jehanabad
A.B.P No. 171/2026
Makhdumpur P.S. Case No. 17/2026
Rajeev Kumar & others v/s State of Bihar

Order

13.05.2026

An application for anticipatory bail petition filed on behalf of accused petitioners namely 1. Rajeev Kumar, 2. Premchand Yadav, 3. Baiju Kumar @ Girjesh Kumar, 4. Rajesh Kumar, 5. Sunaina Devi, 6. Sonwan Devi and 7. Muni Devi @ Gaurikri , who are apprehending their arrest in connection with Makhdumpur P.S. Case No. 17/2026 lodged under Sections 190, 191(2), 191(3), 329(3), 329(4), 61(2), 74, 109, 303(2), 352, 351(2), 351(3) B.N.S. and 27 Arms Act has been pressed today for hearing .

Heard Learned counsel for the petitioners Mr. Arun Kumar as well as Mr. Shardanand Kumar, learned P.P.

Prosecution case as per written application of informant Umesh Prasad, in brief, is that on 06.01.2026 at about 09:30 am while he alongwith co-villagers were warming by fire themselves towards north of his house. At that time, some accused persons equipped with arms came and abused. Arjun Yadav and Binod Yadav assaulted him with iron-rod due to which his arm got fractured and he ran towards his house then accused Vikki Yadav assaulted him with butt of pistol on the head of informant and some ladies accused entered into his house and damaged his house-hold articles and accused persons also assaulted his ladies family member and snatched gold ornament.

It has been submitted on behalf of the accused petitioners by their learned counsel that petitioners are entirely innocent and have been falsely implicated in this case. Petitioners bear no criminal antecedent in their credit. Petitioners have neither filed any regular or anticipatory bail before any court nor pending anywhere. Actually, informant has lodged a false case to save his skin from Makhdumpur P.S. Case No. 04/2026 lodged by Arjun Yadav against the informant and his family member in which they have assaulted to the family members of the petitioners. Allegation of committing theft is completely wrong and ornamental. Further, submitted that all the sections are bailable except Sections 109, 74 and 303(2) of B.N.S. and 27 of the Arms Act but, the same are not applicable in this case. There is no specific allegation against them either of assaulting on vital part of the body nor there is allegation to outrage the modesty of any women nor there is allegation of firing. Petitioners are men and women of means and there is no chance of their absconding and petitioners are ready to furnish reasonable amount of sureties to the satisfaction of the court. Ld. Counsel on behalf of petitioners has stated that a copy of order dated 28.04.2026 in the Court of A.D.J.-III, Jehanabad passed in A.B.P. No. 256/2026 and submitted that in counter case, accused persons have been granted bail by Ld. A.D.J.-III, Jehanabad which has been submitted in the file of A.B.P No. 713/2026. Accordingly, prayer has

been made to enlarge the petitioners on anticipatory bail.

On the other hand, Learned P.P. has vehemently opposed the prayer for bail.

Heard and perused the case record as well as case diary. It appears that with regard to the occurrence dated 06.06.2025, both parties have instituted cases against each other. From the perusal of injury report of injured Umesh, two injuries have been mentioned, Injury No. 1. swelling 5cm X 3cm on the left arm and Injury No. 2. laceration 3cm X 1cm X 1cm on the right side of scalp out of which injury No. 1 has been found grievous however, it has not opined dangerous to life. Similarly, injury report of injured Sanju Devi, fracture distal end of right ulna has been mentioned which has been found grievous in nature and injury report of injured Sarita Kumari found by the doctor fracture distal end of ulna which is mentioned injury is grievous in nature caused by hard and blunt object however, it has not opined dangerous to life. Injury of Babloo Kumar has found simple in nature by the doctor. It also transpires that fire arms and cartridges has not been recovered from the possession of petitioners.

Considering the entire facts and circumstances of the case, I am inclined to release the present petitioners on Anticipatory bail. Accordingly, the present anticipatory bail petition is allowed and petitioners, namely, 1. Rajeev Kumar, 2. Premchand Yadav, 3. Baiju Kumar @ Girjesh Kumar, 4. Rajesh Kumar, 5. Sunaina Devi, 6. Sonwan Devi and 7. Muni Devi @ Gaurikri are ordered to be released on bail on their arrest/surrender in the court within fortnight on furnishing bail bond of Rs 15,000/- (fifteen thousand only) with two sureties of the like amount each to the satisfaction of the Ld. Trial Court with further condition that one of the bailors shall be family member/close relative of the petitioners, who will file an undertaking as to how they are related with the petitioners and petitioners shall file undertaking that they will not be indulge in similar offence in future and shall cooperate during the investigation .

(Dictated & Corrected by)

Sd/-

*Addl. Sessions Judge-I,
Jehanabad*

