

In the Court of Additional Sessions Judge II,
Jehanabad

A.B.P. No. 342/2026

Kako(bhelawar) P.S Case No. 40/2026

Nitish Kumar and others v/s State of Bihar

30.03.2026

An anticipatory bail petition has been filed on behalf of accused persons namely Nitish Kumar, Jawahar Yadav @ Jawahar Prasad who are apprehending their arrest in connection with Kako(Bhelawar) P.S Case No. 40/2026 lodged u/S 126(1), 115(2), 109, 74, 303(2), 308(3), 352, 351(2), 3(5) of B.N.S has been pressed today.

Heard the learned counsel for the petitioners and learned A.P.P for the state.

The prosecution case in brief as per the written application of the informant Manju Devi, wife of Pappu Yadav and resident of village Krishna Bigha, Jehanabad, states that on 25.01.2026 at around 10:00 AM, she was going towards Plot No. 612, when Nitish Kumar, stopped her on the way and started abusing her over a previous land dispute. When her husband came to intervene, Nitish Kumar attacked him with an iron rod, hitting his head with the intention to kill, causing serious injury and heavy bleeding. On hearing her cries, Amit Kumar and Jawahar Yadav arrived carrying sticks and an iron rod. Accused Jawahar Yadav instigated the others to kill them. Accused Amit Kumar then tried to attack Manju Devi with an iron rod, she somehow escaped, but he caught her, threw her to the ground, sat on her chest, and assaulted her with fists. In the meanwhile, accused Jawahar Yadav outraged her modesty by pulling her clothes, leaving her partially undressed. It is further alleged that the accused Nitish Kumar also snatched her gold chain (Jitiya) and demanded ₹1,00,000 as extortion, threatening that they would not allow them on the land unless the money was paid. Due to local settlement attempts, she filed the complaint on 27.01.2026 after getting her husband treated, who received two stitches on his head. Hence, the case has been lodged.

Learned Counsel appearing on behalf of the petitioners has submitted that the petitioners are quite innocent and have falsely been implicated in this case. It is further submitted that no other bail application either regular or anticipatory has been ever moved prior to this application nor the same is pending anywhere else. The petitioner Nitish Kumar bears a criminal antecedent in his credit and accused Jawahar Yadav @ Jawahar Prasad got two criminal history in his credit. Both parties are their own gotiyas and there is land disputes between

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them. Lastly, it is prayed to grant anticipatory bail to the petitioners.

The learned APP for the State has vehemently opposed the prayer for anticipatory bail submitted before the court that the petitioners have used criminal force to outrage the modesty of informant by pulling her clothes, leaving her partially undressed.

Perusal of the case record shows that in prosecution of common object of all the accused persons have assaulted the informant as well as her husband and obstructed the way of the informant also misbehaved with her and used criminal force to outrage the modesty of informant by pulling her clothes, leaving her partially undressed. Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners Nitish Kumar, Jawahar Yadav @ Jawahar Prasad. Hence, anticipatory bail of the accused petitioners Nitish Kumar, Jawahar Yadav @ Jawahar Prasad is hereby **rejected**.

Dictated

Sd/-

A.D.J-II

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