

Court of Addl. Sessions Judge -I , Jehanabad

A.B.P. No. 568/2026

Parasbigha P.S. Case No. 230/2024

Mukesh Yadav @ Mukesh Kumar & other

v/s

State of Bihar

12.05.2026 –

A application for anticipatory bail has been filed on behalf of accused petitioners, namely, Mukesh Yadav @ Mukesh Kumar and Savita Devi, who are apprehending their arrest in connection with Parasbigha P.S. Case No. 230/2024, under Sections 191(2), 190, 126(2), 115(2), 74, 109, 117(2), 352, 351(2) B.N.S. has been pressed today for hearing.

It has been submitted by the Ld. counsel on behalf of the accused petitioners that the petitioners are quite innocent and have committed no offence. Petitioner carry no criminal antecedent in her credit. Further, submitted that FIR has been registered under sections 126(2), 115(2), 303(2), 117(2), 352 & 3(5) B.N.S. and during investigation petitioners have been granted anticipatory bail vide order no. 2 dated 06.03.2025 passed in Cr. Misc. No. 8249/2025 by the Hon'ble High Court Patna. After completion of investigation Charge sheet has been submitted under sections 191(2), 190, 126(2), 115(2), 74, 109, 117(2), 352, 351(2) B.N.S. and accordingly cognizance has been taken under same sections. Further, submitted that all the sections leveled against the petitioners are bailable in nature except 74, 109, 190 B.N.S. which has been added in collusion by the police and there is apprehension of arrest. Allegation against the petitioners are general and vague in nature. Further, submitted that petitioners are ready to abide the conditions under Section 482(2) imposed by this Ld. Court and also ready to furnish bail bond of reasonable amount of sureties to satisfaction of the Ld. Court. Accordingly, prayer has been made to enlarge the petitioners on anticipatory bail .

On the other hand, learned P.P. vehemently opposed the prayer of bail.

Prosecution story, in brief, is that one Shivam Kuamr is the informant of the case. He has stated in his written report that on 14.10.2024 at about 10:00 a.m. the petitioners and co-accused persons began to abuse and assault the informant who sustained injury. It is further alleged that when the informant's father Mukhiya Yadav and his uncle Nageshwar Yadav came there to rescue, all accused persons including the petitioners began to assault as a result of which his father sustained injury on his head and hand. On seeing villagers, the accused persons ran away. It is also alleged that during course of marpit, the accused persons snatched Rs 500/- from the pocket of the informant and the injured was treated in Sadar hospital Jehanabad from where the informant's father referred to PMCH, Patna for better treatment. Accordingly, FIR has been registered

Heard and perused the case record. From the perusal of record, it transpires that the FIR has been registered under sections 126(2), 115(2), 303(2), 117(2), 352 & 3(5)

B.N.S. and during investigation petitioners have been granted anticipatory bail vide order no. 2 dated 06.03.2025 passed in Cr. Misc. No. 8249/2025 by the Hon'ble High Court Patna. After completion of investigation Charge sheet has been submitted under sections 191(2), 190, 126(2), 115(2), 74, 109, 117(2), 352, 351(2) B.N.S. and accordingly cognizance has been taken under same sections. Allegation of assault is composite in nature. From the perusal of injury report, it transpires that four persons namely Shivam Kumar, Rudha Kumari, Nageshwar Yadav and Mukhiyaji Yadav sustained injured in the alleged occurrence. Doctor has found cut wound over left hand finger of 0.5 cm approx and cut wound over head of 0.5 cm approx on the person of injured Shivam kumar caused by hard and blunt object simple in nature, Doctor has not found any external injury on the person of injured Rudha Kumari, Doctor has found swelling of left forearm of approx 2x2 cm near wrist and fracture of left radius on the persons of Nageshwar Yadav caused by hard and blunt object found grievous in nature but the injuries caused to the injured are not on vital part of the body and Doctor has found swelling at right hand, X-ray plate showing fracture of right humerus and lacerated wound over head of injured Mukhiyaji Yadav caused by hard and blunt substance grievous in nature due to fracture of right humerus, but injuries caused to the injured are not found on the vital part of the body. During investigation petitioners have granted anticipatory bail from the Hon'ble High court Patna, who had not misused the privilege of bail. Petitioners carry no criminal antecedent in their credit which has specifically been mentioned in para no. 3 of the bail petition.

Considering the entire facts and circumstances of the case as well as the fact that charge sheet has also been filed and cognizance also been taken, I am inclined to enlarge the accused petitioners on bail. Hence, accused petitioners above named is hereby directed to be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of the Ld. Trial Court along with further condition that one of the bailors shall be his family member/close relative of the petitioners, who will file an affidavit as to how she/he is related with the petitioners and petitioners will filed undertaking that they will not indulged in similar offence in future and they will appeared on each and every date till framing of charge.

(Dictated & corrected by)

*Sd/-
Addl. Sessions Judge-I,
Jehanabad*

