

Amdabad P.S. Case No. 315/2025
U/S 115 (2), 126 (2), 118 (1), 109, 125 (b), 352, 351 (2), 351 (3), 303 (2), 3 (5) of B.N.S.
Accused Name- Kapil Yadav and others
P.O.-Asutosh Rai. A.S.J.-II, Katihar
A.B.P. NO. 130/2026

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IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II
DISTRICT-Katihar
(A.B.P. No. 130/2026)

In the matter of

1. Kapil Yadav aged about 50 years, S/o Late Damodar Yadav

2. Golu Yadav aged about 19 years, S/o Mukesh Yadav

3. Rahul Yadav aged about 25 years, S/o Kapil Yadav

Above all R/o- Vill- Chowkchama, P.S.- Amdabad, Distt.- Katihar.

.....Accused/petitioners.

Vs

State of Bihar.....Opposite Party.

Amdabad P.S. Case No. 315/2025

**U/S- 115 (2), 126 (2), 118 (1), 109, 125 (b), 352, 351 (2), 351 (3), 303 (2), 3 (5)
of B.N.S.**

Ld. Advocate for petitioners- Shri Pawan Kumar Dwivedi

Ld. A.P.P. for the State- Shri Md. Azaj Alam

ORDER

17.02.2026- This anticipatory bail petition has been filed on the behalf of accused-petitioners namely 1.Kapil Yadav, 2. Golu Yadav and 3. Rahul Yadav who are apprehending their arrest in connection with aforesaid case.

Heard the Ld. counsel Shri Pawan Kumar Dwivedi appearing on the behalf of the petitioners and Ld. A.P.P. Shri Md. Azaj Alam on the behalf of the state.

The prosecution case, in brief is that, informant to this case namely Mithhu Yadav lodged a written report before S.H.O. Amdabad to this effect that on dated 04.12.2025 at about 04:00 O'clock he and his brother namely Pintu Yadav and Umesh Yadav were coming back to their home after ploughing the land of their own share in meantime accused-petitioners namely Kapil Yadav, Golu Yadav, Rahul Yadav and other accused named in F.I.R. having laced with lathi and rod, intercepted their tractor and having used filthy words started saying that as to why you sowing the wheat seeds in their field and when they forbade them to do so then they started assaulting brutally to them. Informant has further alleged that accused persons assaulted to his brother namely Pintu Yadav by the means of rod due to which his head got injured and blood started oozing out. Further, they also inflicted rod on the mouth of Umesh Yadav due to which he got injured and blood started oozing out. Accused persons have brutally assaulted them on their back, chest and waist due to which there is swelling and pain. Informant has further alleged that accused persons also snatched one mobile of Oppo company and gave threatening of several types.

On the other side learned counsel for the petitioners has reiterated all the grounds taken in the bail petition and has submitted that the petitioners have committed no offence at all. The petitioners have falsely been implicated in this case and all the sections are bailable except section 118 (1), 303 (2) and 109 of B.N.S. which do not attract against the petitioners and there is no specific allegations against the petitioners and they have got no criminal antecedent. Accordingly, it has

been prayed to allow the said anticipatory bail petition.

Per contra, Learned A.P.P. has vehemently opposed the prayer for anticipatory bail.

Heard both parties and perused the case record. From the perusal of the case record it is evident that, except to participating in this alleged occurrence there is no other specific allegation against the present petitioners. While the injuries sustained by victims of this case have been reported to be simple in nature and some witnesses of the case diary have not supported the allegations of theft as levelled against the present petitioners and as per present petition, petitioners have got no bad criminal antecedent and there is admittedly land dispute between both the parties.

So having considered the above facts and submissions made by the Ld. Counsel for the petitioners, the instant anticipatory bail petition is hereby allowed and accordingly it is ordered to release the petitioners namely **1. Kapil Yadav, 2. Golu Yadav and 3. Rahul Yadav** on bail in the case of surrender/arrest within three weeks of this order on furnishing of bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court concerned subject to the condition as mentioned in the section 482 (2) of the B.N.S.S.

**Addl. Sessions. Judge-II
Katihar**

Date of order	17.02.2026
Date of Reserving order	N/A
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