

IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II
DISTRICT-KATIHAR
(A.B.P. No. 662/2026)

In the matter of

1. Rajesh Kumar Yadav aged about 21 years S/o Sadanand Yadav
R/o- vill- Katariya P.S. Kursela, District- Katihar

.....**Accused/petitioner.**

Vs

State of Bihar.....Opposite Party.

Kursela P.S. Case No. 02/2026

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

Ld, advocate for petitioner- Shri Imranul Haque

Ld, A.P.P. for the State- Shri Md. Ajaz Alam

ORDER

09-06-2026- This anticipatory bail petition has been filed on the behalf of accused-petitioner namely **1. Rajesh Kumar Yadav** who is apprehending his arrest in connection with aforesaid case.

Heard the ld. counsel Shri Imranul Haque appearing on the behalf of the petitioner and Ld. A.P.P. Shri Md. Ajaz Alam appearing on the behalf of the state.

As per the written report of informant to this case namely Mahesh Kumar Mandal, prosecution case in nutshell is that on dated 28.12.2025 at about 07:30 o' clock in evening, informant was at his shop at that time, accused-petitioner namely Rajesh Yadav came and demanded gutka, soap, etc. on credit then, informant told to pay the amount relating to articles purchased by him on credit and told first of all you should pay the said amount after that he will provide articles on credit. On this accused Rajesh Yadav abused to the informant and through telephonic call he called to the other accused namely Bibhas Kumar Yadav @ Jhoti Yadav and Bimlesh Yadav after that all accused persons abused to the informant and they also scattered all the article kept in the informant's shop and Bibhash Kumar Yadav also took out Rs. 3,000/- from the shop. Informant has further alleged that Bimlesh Kumar Yadav caught hold and with intention to kill him accused namely Rajesh Kumar Yadav assaulted on the informant's head by the means of pistol butt due to which his head got injured and blood started oozing out. On noise family members of informant came and saved him. It is further alleged that accused persons gave threatening that if the case would be lodged they may shoot after entering in the house.

On the other side learned counsel for the petitioner has reiterated all the grounds taken in the bail petition and has submitted that the petitioner is quite innocent and he has committed no offence at all and he has falsely been implicated in this case. He has further submitted that the allegations levelled

against the petitioner is absolutely false and fabricated and there is no direct or indirect allegation against the petitioner for the said offence. He has further submitted that some dues was laying upon the petitioner and others but in the fixed period, the petitioner was not paid the dues amount to the informant due to non payment of said dues and in annoyance informant has lodged this false case. He has further submitted that all the offences are bailable in nature except section 118(1), 109, 303(3) of the B.N.S. but as per the injury report the injury is simple in nature, so the offence u/s 118(1) and 109 of the B.N.S. is not made out against the petitioner and so far section 303(2) of the B.N.S. is also not specific against the petitioner. He has further submitted that other accused of this case has already been granted bail by this court vide B.P. no. 150/2026. Accused-petitioner has no bad criminal history. 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 the both parties at length and perused the entire case record alongwith case dairy. From perusal of the case record it is evident that due to demand some articles on credit this alleged occurrence took place. While from perusal of the injury report of the victim namely Mahesh Kumar Mandal it is evident that he has sustained only lacerated wound on his head and same has been reported to be simple in nature. Further, the allegation of theft appears to be super addition with view to make the case more serious.

So having consideration the above facts and submission made by the Ld. Counsel for the petitioner, the instant anticipatory bail petition is hereby allowed and accordingly it is ordered to release the petitioner namely 1. Rajesh Kumar Yadav on bail in the case of surrender/arrest within three weeks of this order on furnishing of bail bond 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	09.06.2026
Date of Reserving Order	N/A
Uploading Date	20.06.2026
Uploaded By	Prakash Kumar Singh, Steno D.A.S.J.-II, Katihar