

**In the Court of District & Add. Sessions Judge-II,
Jhanjharpur (Madhubani)**

Anticipatory Bail Petition No.-765/2025

Vijay Kumar Yadav aged about 47 years S/o Raslal Yadav.

R/o Village-Rudrapur, Tole-Koriapatti, PS-Rudrapur, District-Madhubani.

.....Petitioner

Versus

1. State of Bihar through Additional Public Prosecutor.

.....Opposite Party

Anticipatory Bail Petition Under Section 438 Cr.P.C.

For the petitioner/s : Shri Rishi Kumar Jha, Advocate

For the O.P. State : Dev Shankar Jha, APP

ORDER

Dated: 16.04.2026

This anticipatory bail petition filed on 08.10.2025 under section 438 Cr.P.C. on behalf of the above named petitioner **Vijay Kumar Yadav** who is apprehending his arrest in connection with **CR No.417/2022** for the offence **under section 420 of IPC** which is pending in the court of Sikha Kumari, JM-1st Class, Jhanjharpur is being pressed and heard.

The case of the complainant is that on 05.06.2021 accused Vijay Kumar Yadav along with Vidyanand Yadav came to the house of the complainant, and told that he has purchased the land of Mauza Gangapur on 09.11.2004 from Chunchun Yadav by means of registered sale deed, which was kept secret. Now her husband had died, so he will sell the said land vide old khata no. 32, old khesra no. 3011 and 3014, New khata no. 456, new khesra no. 326 total area 1 katha 5 dhur to you at the rate of 1 lakh. On which complainant said that her residential house is on this land, since her husband's time. She is a helpless woman, why should she give them money. Then accused Vijay Kumar Yadav said that he will sell the land to another person, who will take over her house. The complainant got scared, and was ready to give money. At that time complainant gave cash Rs. 25,000/- to the accused Vijay Kumar Yadav, and told that at the time of registry she will pay the money. Further, alleged that on 23.07.2021 complainant went to the sub-registry office where both the accused also reached. There, the accused persons got written the kewala

with his colleague Abhay Shankar Mahto, and intentionally mentioned old khesra no. 3011, 3014 new 3260 area 5 dhur in place of 1 katha, 5 dhur of value 50,000/- only. The husband of the complainant Chunchun Yadav died leaving behind two wives, and five daughters. The complainant who is illiterate poor woman has been living in that house. The accused persons have received cash Rs. 25,000/- regarding the said land, and with a conspiracy accused Vijay Kumar sold his land at the hand of Ram Lakhan Yadav by means of registered sale deed, and knowingly took cash rupees one lakh from the complainant Sevki Devi, and execute registered sale deed no. 4164, dated 30.06.2021 at 6 PM. The complainant told, that you have committed fraud, and took cash of rupees one lakh. On which the accused persons caught the hair of the complainant, pushed into the house, assaulted, and threatened her.

Learned counsel for the accused petitioner submitted that the petitioner is quite innocent, and has not committed any offence. The petitioner has been falsely implicated in this case, out of grudge, and malice. The case of the complainant is entirely false, concocted, and no occurrence as alleged has ever been taken place. Late Chunchun Yadav had two marriages, and from his first wife Late Musni Devi has three daughters, out of them petitioner is the son of his daughter Phuldai Devi. The complainant is the second wife of Late Chunchun Yadav, and has two daughters Asha Devi and Naipur Devi. Late Chunchun Yadav had no son, he adopted the petitioner, and petitioner started taking care of the whole family, and also got married his aunt, and performed Shradha rituals to his maternal grandfather by taking loan. Late Chunchun Yadav during his lifetime sold his land to the petitioner by means of two registered sale deed on dated 09.11.2004. The death of his maternal grandfather Chunchun Yadav, the petitioner sold his land by means of registered sale deed to Ram Lakhan Yadav who is nephew of Late Chunchun Yadav on dated 10.07.2021 for the purpose of paying loan, which was taken earlier at the time of Shradha rituals, and other occasions. Accordingly, he prays to grant anticipatory bail to the accused petitioner.

Learned APP had opposed the prayer of anticipatory bail.

Heard the argument, and perused the record. It is apparent that complainant is second wife of Late Chunchun Yadav. From the copies of sale deeds filed it is quite clear that Chunchun Yadav during his life time had

written all his land to the petitioner. That petitioner is grandson of Late Chunchun Yadav, and only male heir in his family. From panchnama, it is also apparent that the petitioner was directed to give 5 dhur of land of Late Chunchun Yadav to complainant for her residence. In compliance to the directive in panchnama, petitioner has executed the sale deed of 5 dhur of land to complainant. Meaning thereby that petitioner had no intent of cheating from the beginning.

Considering all these facts and circumstances, I find this to be an apt case for grant of anticipatory bail. It is hereby ordered that in the event of surrender or arrest before the Court below/concerned police within 30 days from the date of receipt of a copy of this order, the petitioner shall be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below/police subject to the condition under the provision of section 438(2) Cr.P.C.

Dictated

Sd/-

**Addl. Sessions Judge-II,
Jhanjharpur**

Memo No...../2026, Dated:.....

Copy of order with LCR forwarded to the court of Sikha Kumari, JM-Ist Class, Jhanjharpur for information and needful.

**Addl. Sessions Judge-II,
Jhanjharpur**