

In the Court of Sessions Judge, Madhepura.
A.B.P. No. 250/2026
(Arising out of Shankarpur P.S. Case No. 262 of 2025)

1. Shyam Yadav S/o Late Kamal Yadav,
Resident of village – Bariyahi, Ward No. 05, P.S. - Shankarpur, District
- Madhepura.Petitioner.

Versus

The State of Bihar**Opposite Party.**

04.
24.03.2026

ORDER

This application for anticipatory bail filed under Section 482 of the BNSS on behalf of the above named petitioner, who is apprehending his arrest in connection with Shankarpur P.S. Case No. 262 of 2025 u/ss. 126 (2), 115 (2), 117 (2), 118 (1), 109 (1), 303 (2), 352, 351 (2) and 3 (5) of the B.N.S., is pressed today for hearing.

Heard Sri Lalan Prasad Yadav, learned counsel appearing on behalf of the above named petitioner and Sri Bibeka Kumar Singh, learned P.P. appearing on behalf of the State of Bihar.

It is alleged in the F.I.R. by the informant Pramod Yadav that on 11.12.2025 at 09.30 A.M. while the informant was filling soil beside his door by a tractor then the petitioner and three other accused persons named in the F.I.R. started prohibiting the informant from filling the soil and they said to the informant that they will not allow him for filling soil. When the informant said to them that he is filling soil on his land then they started abusing to the informant and the petitioner Shyam Yadav assaulted with lathi on the head of the informant, which caused fracture of his head and blood started oozing out. On hearing hulla, when informant's father reached there then accused Arjun Yadav assaulted with a spade on the head of the father of the informant with intention to kill, which caused cut injury on the head of the father of the informant and blood started oozing out. The father of the informant also received injuries on his head and arm. The accused Dilkhush Yadav snatched gold locket from the neck of the informant and all accused persons threatened to kill all family members of the informant if he will lodge a case.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and has committed no offence as alleged in the F.I.R. The petitioner has got no criminal antecedent. The petitioner has been falsely implicated due to village party politics. The petitioner and the informant are agnates and there is land dispute between Arjun Yadav and the informant. No injury has been found on the head of the informant. This case is counter blast of Shankarpur P.S. Case No. 263 of 2025 in which the informant and his family members are accused persons. There is no eye-witness to the alleged occurrence. All sections of the B.N.S. are bailable except Sections 109 (1) and 303 (2) of the B.N.S., which are not applicable against this petitioner and the same have been added only with a view to make the offence non-bailable.

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A.B.P. No. 250 of 2026

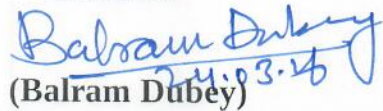
Learned Public Prosecutor appearing on behalf of the State of Bihar opposed prayer for anticipatory bail of the petitioner.

Perused the xerox copy of the case diary. It appears that the petitioner is named in the F.I.R. The informant in his re-statement vide paragraph – 2 and the witnesses in their statements vide paragraphs – 6, 7, 8 and 9 of the case diary have supported the prosecution case. At paragraph – 45 of the case diary, the injury report of injured Rajendra Yadav is mentioned, which shows that the injured received pain and swelling injuries over left eye and over frontal scalp and opinion on those injuries are kept reserved as the injured referred to Sadar Hospital / Higher Centre, Madhepura for further treatment. At paragraph – 59 of the case diary, the supplementary injury reports of both injured persons, namely, Pramod Yadav and Rajendra Yadav are mentioned, which go to show that injuries of both the injured persons have been found simple in nature caused by hard and blunt substance by the doctor. It appears that further investigation of the case is going on.

Considering the above facts and circumstances of the case, it appears that it is not a fit case for grant of anticipatory bail. Hence, the petitioner is directed to surrender before the learned lower court and seek regular bail and the learned lower court shall consider the prayer for regular bail of the above named petitioner keeping in view of the fact that injuries of both injured persons have been found simple in nature caused by hard and blunt substance, without being prejudiced by this order.

With the above observations, this anticipatory bail application filed on behalf of the above named petitioner, namely, Shyam Yadav stands **disposed off** in connection with Shankarpur P.S. Case No. 262 of 2025.

Dictated


(Balram Dubey) 24.03.26

Sessions Judge, Madhepura.