

In the Court of Sessions Judge, Madhepura.
A.B.P. No. 314/2026
(Arising out of Murliganj P.S. Case No. 51 of 2026)

1. Aadesh Yadav S/o Ramchandra Yadav and
2. Ramchandra Yadav S/o Late Natho Yadav,
Both residents of village – Kolahaipatti, Ward No. 07., P.S. - Murliganj, District –
Madhepura.

Versus

The State of Bihar

.....**Petitioners.**

.....**Opposite Party.**

04.

02.04.2026

ORDER

This application for anticipatory bail filed under section 482 BNSS on behalf of the petitioners – Aadesh Yadav and Ramchandra Yadav, who are apprehending their arrest in connection with Murliganj P.S. Case No. 51 of 2026 under Sections 126 (2), 115 (2), 352, 110, 303 (2) and 3 (5) of the B.N.S., is pressed today for hearing.

Heard Sri Sanat Kumar, learned counsel appearing on behalf of both the above named petitioners and Sri Bibeka Kumar Singh, learned Public Prosecutor appearing on behalf of the State of Bihar.

It is alleged in the F.I.R. by the informant Nitu Devi that on 18.01.2026 at about 07.00 A.M. in the morning when the informant went on her land to fetch fire-wood from her garden (orchard) then all of a sudden informant's neighbour Ramchandra Yadav (the petitioner No. 2) caught hold the informant from behind with bad intention and started flirting and on protest and raising alarm, informant's Bhainsur Navin Yadav and informant's husband ran to save her. It is further alleged that the petitioner Ramchandra Yadav called his sons, namely, Aadesh Yadav (petitioner No. 1), Rajesh Yadav, daughter, namely, Preety Kumari and wife, namely, Mira Devi and said to kill all of them (family members of the informant). In the meantime, the petitioner Aadesh Yadav assaulted with Debiya on the head of informant's husband with intention to kill due to which he received bleeding injury and he fell down on the ground. When informant's Bhainsur Navin Yadav went there to save informant's husband then co-accused Rajesh Yadav assaulted him from behind with iron rod due to which he received bleeding injury and he fell down on the ground. When informant's husband went there to rescue him then all accused persons started assaulting all of them indiscriminately with lathi and rod and accused Rajesh Yadav pointed three-nut on informant's husband and said that if a case filed, its consequence will be very bad and he will kill them one by one. In the sequence of mar-pit, accused Mira Devi got the informant fallen down on the ground by catching hold her hair and accused Preety Kumari forcibly took away ear-ring worth about Rs. 50,000/- from the ear of the informant.

Learned counsel appearing on behalf of the petitioners submitted that the petitioners

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are innocent and have not committed any offence as alleged in the F.I.R. The petitioners have been falsely implicated in this case due to local village politics and old enmity with the informant. It is further submitted on behalf of the petitioners that except Sections 303 (2) and 110 B.N.S. other sections of B.N.S. are bailable in nature. No offence under sections 303 (2) and 110 B.N.S. stands made out in this case rather these sections of B.N.S. are super addition. It is further submitted on behalf of the petitioners that there is case and counter case between both the parties as earlier the petitioner No. 2 had lodged Murliganj P.S. Case No. 44 of 2026 u/ss., 126 (2), 115 (5), 117 (2), 109 and 3 (5) of the B.N.S. against Sushil Yadav (husband of the informant) and his other family members and in order to save the skin of her husband and her other family members the informant has filed this false case against these petitioners. There is no criminal antecedent of these petitioners except the present case.


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

Perused the xerox copy of case diary. It appears that the petitioners are named in the F.I.R. The informant in his re-statement vide paragraph -2 of the case diary and the witnesses in their statements vide paragraphs - 5, 6 and 8 of the case diary have supported the prosecution case. As per paragraph - 13 of the case diary it appears that no visible injury is found on the person of the injured Navin Kumar Yadav and injured Sushil Yadav. The investigation of the case is going on.

Considering the above facts and circumstances of the case, I find that this is not a fit case for grant of anticipatory bail. Hence, both the above named petitioners are 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 petitioners keeping in view of the fact that no visible injury has been found on the bodies of the injured persons and there is case and counter case between both the parties, without being prejudiced by this order.

With the above observations, the prayer for anticipatory bail of both the petitioners, namely, Aadesh Yadav and Ramchandra Yadav stands **disposed off** in connection with Murliganj P.S. Case No. 51 of 2026.

Dictated


02.04.26

(Balram Dubey)

Sessions Judge, Madhepura.