

In the Court of Addl. Sessions Judge-IX, Nawada

(Present - Anand Bhushan A.S.J-IX)

B.P. No. - 360/26

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Hiralal Yadav alias Hiralal

..... Petitioner

V/s

The State of Bihar

..... Opposite Party

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For the petitioner:- Sri Jayram Prasad Ld. Advocate

For the O.P.(State):- Sri Bhola Prasad Ld. A.P.P.

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ORDER

23.04.2026 1. This bail petition has been filed on behalf of petitioner **1. Hiralal Yadav alias Hiralal S/o Late Gauri Prasad Yadav** who is in custody since 01.03.2026 in connection with Thali P.S. Case No. 226 of 2025 u/s 126(2), 115(2), 109, 352, 351(2), 303(2), 3(5) of the B.N.S., 2023. A copy of bail petition has been supplied to the learned A.P.P.

2. The prosecution case, in brief, is that on 16.11.2025 at about 12:00 p.m., while the informant was engaged in construction of her house, four accused persons arrived at the spot and began removing the pillar erected by the informant. Upon objection, the accused persons started abusing her, and accused Hiralal assaulted the informant with a lathi held in his hand. On raising alarm, when her daughter Anjali arrived to rescue her, accused Nitish Kumar attacked her on the head with a khanti held in his hand, causing a head injury. On hearing the commotion, the sons of the informant namely Lavkesh Kumar and Shailesh Kumar intervened, whereupon accused Hiralal threw Lavkesh Kumar on the ground and brutally assaulted him with a lathi, causing multiple injuries. Accused Nitish Kumar assaulted the younger son, Shailesh Kumar, with a khanti, causing injuries on both his hands. When nearby persons rushed to the place of occurrence for rescue, accused Hiralal Yadav snatched a gold locket from the neck of Lavkesh Kumar and a gold gulfi from the informant's daughter, and also took away the articles of the mason.

3. According to para 2 of the B.P., the petitioner has earlier filed A.B.P.No. 3255/2025 which was rejected by this Court, thereafter he approached to Hon'ble High Court by filing Cr. Misc. No. 9131 of 2026 which too was rejected by the Hon'ble High Court and except for this no other B.P./A.B.P. is pending either before this Court or before any Superior Court.

4. As per para 3 of the bail petition, it is certified that the petitioner has no criminal antecedent.

5. The Learned counsel on behalf of petitioner has submitted that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. All the allegations are false, fabricated and concocted. The instant case is counter case of Thali P.S. Case No. 227 of 2025. The petitioner has been implicated due to ongoing land dispute. He is in custody since 01.03.2026. Further, there is no chance of his absconding as he undertakes to present himself before the police and Court as and when directed to appear. The petitioner further undertakes not to temper with the evidence or witnesses in any manner and will not leave the country without prior permission of the Court. Hence, he has prayed to enlarged the petitioner on bail.

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6. Learned A.P.P on behalf of State and learned counsel for the informant vehemently opposed the prayer of bail.

7. Heard both sides and perused the case record. On perusal of record it appears that this case has been lodged by the Thali P.S. on 17.11.2025 on the written application of informant for the occurrence which is alleged to have taken place on 16.11.2025. The anticipatory bail petition of the petitioner previously filed before this Court has been rejected whereas Criminal Misc. no. 9131 of 2026 pending before Hon'ble High Court has become infructuous because of arrest of the accused. Learned counsel for the petitioner has filed a copy of the petition for withdrawal of the aforesaid criminal misc. on the ground of arrest of the petitioner. The injury report mentioned in para 26 and 29 of the case diary mentions that the injury caused to Saroj Devi has been found as lacerated wound on right side of frontal region and reported simple in nature. Injury of Shailesh Kumar is grievous in nature whereas Lavkesh Kumar and Anjali Kumari have not undergone proper treatment in Sadar Hospital, Nawada. The injury caused to Shailesh Kumar is linear non-displaced fracture proximal of fifth metacarpal which appears to be non vital part of the body. The allegation against the petitioner is of assaulting the informant Saroj Devi and Lavkesh Kumar with lathi. The petitioner is in custody since 01.03.2026. The co-accused Renu Devi and Sharmila Kumari have been given benefit of anticipatory bail vide A.B.P. No. 3255/25.

8. Considering the above facts and circumstances of the case, nature of injury and the period of custody, I am inclined to enlarge the petitioner on bail.

9. Accordingly, the bail petition dated 11.03.2026 filed on behalf of the petitioner/accused **Hiralal Yadav @ Hiralal** is hereby **ALLOWED**. He is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the ld. court below.

(Dictated by)

*Anand Bhushan*  
23/04/26  
**(Anand Bhushan)**  
**A.S.J.-IX, Nawada**

Date of Judgment / Order	23.04.26
Date of Reserving Judgment/Order	23.04.26
Uploading Date	24.04.26
uploaded by	Shamir K.