

Court of Additional Sessions Judge -II Masaurhi , Patna

Bail Petition No. 138/2026

Masaurhi P.S Case No:- 437/2026

Dated: 11.08.2026

Jitendra Kumar & Ors.....

Applicant

Vs

State of Bihar.....

Opposite Party

Regular Bail Petition has been filed on the behalf of Accused Applicants 1. Jitendra Kumar 2. Dharmendra Yadav who is in custody since 01.04.2026 and 04.06.2026 along with fresh power by Ld. Counsel for the petitioner Shri Kumud Ranjan Ray. Copy of the petition is served on Ld. APP for the state.

The above name accused petitioners are named in Masaurhi P.S Case No:- 437/2026 for offenses U/S 115(2), 126(2), 109(1), 90, 3(5) of BNS. The case of prosecution in brief is that informant Sonajhari Devi, aged about 40 years, wife of Guddu Yadav, resident of village Badri Bigha, P.S. Masaurhi, Patna, alleged that a land dispute had arisen between her family and Jitendra Kumar, Dharmendra Yadav, and FanTus Yadav. On 30.05.2026 at about 7:00 PM, while the complainant was going outside her house towards the south for defecation, the accused persons allegedly intercepted her, threw her on the ground, pressed her neck and assaulted her with kicks and blows. Despite her stating that she was pregnant and requesting them not to assault her, the accused allegedly continued the assault. She raised an alarm, whereupon the accused persons fled from the spot. The complainant was thereafter brought home, and she alleged that due to the assault her pregnancy was subsequently terminated at about 4:00 AM. She accordingly requested the police to conduct an inquiry and take appropriate legal action against the accused persons.

Ld. Counsel for the Petitioner submits that the applicant has two criminal history. The applicant is innocent and has not committed any crime as alleged in the prosecution case. There is no chance of absconding of the petitioner or tampering with evidence. The petitioner is ready to obey all the direction of the court. On the other hand Ld. APP for the state has opposed the prayer the bail.

Heard both sides. Case diary has been called for which is received. Petitioners are relatives of informant. Admittedly there is land dispute between the parties. The time of alleged occurrence is 07 PM, at 30.05.2026 but the victim was not taken to any hospital and medical

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treatment immediately. The Informant denied the post-mortem examination of dead child as per para 55 of the case diary the doctor has found that there is no relation between physical assault and death of child. The petitioner is in custody since 01.04.2026 and 04.04.2026.

Considering the above facts, circumstances, nature of the allegation and period of custody, this court is inclined to enlarge the accused petitioners 1. Jitendra Kumar 2. Dharmendra Yadav are on bail. Therefore, the above named accused petitioners are ordered to be released on bail on furnishing a bail bond by accused with two surities of rupees 10,000/- to the satisfaction of the Court Concerned.

Dictated and Corrected

Sd-

(Sanjeev Kumar-I)

Additional Sessions Judge-II

Masaurhi, Patna