

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA
Dated, Saharsa, the 26th March, 2026

Present:- Dinesh Sharma, Principal District & Session Judge, Saharsa
B.A. No. 138/2026 (Arising out of Kashnagar P.S. Case No. 87/2025)

Chhotu Yadav

..... Petitioner Vs State of Bihar

In the matter of :-

1. Chhotu Yadav S/o Umesh Yadav

Resident of Village Fatehpur, Ward No. 4, P.S. Kashnagar,
District Saharsa.

.....Petitioner

Vs

State of Bihar

.....Opposite Party

Appearance :-

For the Petitioner :- Sri Ramesh Prasad Yadav, Advocate

For the State :- Sri Krishna Murari Prasad, Ld. P.P.

Date of proceeding	Order with the signature of the court	Office action taken with date
26.03.2026	This bail petition has been filed on behalf of the petitioner namely Chhotu Yadav son of Umesh Yadav who is in custody since 02.02.2026 in connection with Kashnagar P.S. Case No. 87/2025 registered under Sections 191(2), 190, 115(2), 126(2), 118(1), 109, 303(2), 352, 351(2)(3), 3(5) of BNS. 2. Heard the arguments of the learned counsel for the petitioner and the learned P.P. for the State. 3. It is submitted by the learned counsel for the accused petitioner that petitioner is in custody since 02.02.2026. It is further submitted that petitioner is innocent and has falsely implicated in this case. It is further submitted that petitioner bears criminal antecedent of two cases out of which he is acquitted in one case and he is on bail in another case. It is further submitted that there exists land dispute between the parties for which a Title Suit No. 103/2015 is pending. It is further submitted that Sections 109 and 303(2) of BNS, 2023 is added to make the case graver and non-bailable. It is further submitted that co-accused persons have been granted anticipatory bail by this court in A.B.A. No. 124/2026 vide order dated 12.02.2026. It is further submitted that the petitioner is ready to furnish sound sureties to the full satisfaction of the court. Upon these grounds, the learned counsel prays to grant bail to	

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the petitioner.

4. On the other hand, the learned P.P. has opposed the prayer of bail.

5. Rival submissions considered, Record perused.

6. The case of prosecution in brief is that as per the written application of the informant Shyam Sundar Yadav is that on 25.11.2025 at about 17:00 O'clock when he plough his field by his tractor and one wheel of his tractor went into the field of Umesh Yadav on which Umesh Yadav, assaulted him and his father with filthy languages and when his father objected then Suresh Yadav, Chintu Yadav, Chotu Yadav, Raja Yadav and Vikash Yadav armed with lathi, danda, iron rod and spade in his hand started assaulting his father due to which his palm got injured thereafter Umesh Yadav also assaulted on his head by spade due to which his head got lacerated and his father fell down on the ground. When he tried to rescue him then the said person Raja Yadav assaulted on his head by spade and also snatched golden chakti weight 6 aana from his neck by Chintu Yadav. All the accused persons demolished his tractor by the pasath of spade. Vikash Yadav assaulted his father by iron rod due to which his leg got fractured. The accused persons threatened him if he lodge police case then he will be killed. Both the injured are under treatment.

7. The petitioner is named in the FIR. The petitioner is in custody since 02.02.2026. The injured person have already been discharged from the Hospital. The injury suffered by the injured person is simple in nature caused by blunt and hard object except one injury which is grievous in nature however, the same is on the right foot of the injured Upendra Yadav. Other co-accused persons have already been granted anticipatory bail by the learned Predecessor vide order dated 12.02.2026 passed in A.B.A. No. 124/2026. On the ground of parity the petitioner is entitled for bail.

8. Considering the totality of the facts and



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circumstances a case to grant bail to the petitioner is made out. Resultantly the prayer for bail is **allowed**. The petitioner Chhotu Yadav be released on bail subject to his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties in the like amount to the satisfaction of the learned Magistrate where the case is presently pending further subject to the conditions as laid down under Section 480(3) of the BNSS.

(Dictated)


(Dinesh Sharma)

Principal Sessions Judge,
Saharsa
26.03.2026

Date of Judgement/Order	26.03.2026
Date of Reserving Judgement/Order	26.03.2026
Uploading Date	01-04-26
Uploaded by	Javed Haider