

R.B.A. No. -144/2026

**Suren Yadav @ Surendra Yadav & Another..... Petitioners
Versus
The State of Bihar**

O R D E R

18.04.2026 Ld. counsel moved this regular bail application filed on behalf of petitioners **namely, 1. Suren Yadav @ Surendra Yadav and 2. Mithun Kumar** who are in custody since 18.02.2026 in connection with Saharsa Sadar P.S. Case No. 510/2021 for committing offence under sections– 341, 323, 324, 307, 447, 448, 504, 506/ 34 of Indian Penal Code and the same is pending in the court of Sri Nikhil Chandra, Ld. J.M.F.C., Saharsa.

Heard Sri Santosh Kumar Sinha, Ld. defence counsel appeared on behalf of petitioners and Ld. A.P.P., Sri Hari Shekhar Mishra represented the State.

Learned counsel for the petitioners submitted that petitioners are innocent and they have not committed such type of offence rather have falsely been implicated into this case. Further he submitted that the petitioners have filed their regular bail before this learned court vide. R.B.A. No. 183/2022 and after hearing the learned court granted bail to these petitioners on 04.03.2022 with condition that if injury of victim Sanjay Yadav found serious or he reported to be in hospital for treatment, bail bond of the petitioners shall be cancelled and thereafter petitioners have not filed any bail petition before the Hon'ble High Court Patna. He further submitted that, all the sections are bailable except 307 of IPC which is added to make the case graver and non-bailable in nature. Further, it has specifically been stated that the petitioners have got no criminal history behind their backs. Petitioners are in judicial custody since 18.02.2026. Petitioners are men of means and are ready to abide by the conditions which may be imposed by this court. Therefore, Ld. counsel prayed that petitioners may be enlarged on bail.

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Ld. A.P.P. vehemently opposed the prayer for bail and submitted that the allegations levelled against the petitioners are serious in nature, there is specific allegation of assault by iron rod over the person of victim-Lalan Yadav and Sanjay Kumar Yadav. It has been further submitted that out of five injured, the injuries of Sanjay Kumar Yadav is found grievous, and other injuries of injured are on the vital part of the body. Therefore, they do not deserve any sympathy from the court and prayed to reject the bail petition.

The prosecution case as per Furdbeyan of informant, Ranjana Kumari, in brief, is that on 29.06.2021 at about 10:00 P.M. Mithun Kumar who is a criminal and involved in selling illegal wine and also he used to hide wine near her house which was objected by her then he abused and took out wine from there and after one hour (1) Suren Yadav, (2) Kameshwar Yadav, (3) Mithun Kumar, (4) Dilkhush Kumar, (5) Lallan Kumar @ Lallu came and assaulted her by lathi-danda then Lalan Kumar her Dewar came to save then accused persons assaulted him by Farsa, iron rod over his head and Lallan Kumar @ Lallu caught hold of him from behind and assaulted by giving knife blow at the hand due to which he fell down then Manikant Kumar started assaulting him by giving iron rod blow thereafter the informant and her Gotni-Kanchan Devi came running to save then Lalan Kumar and her Gotni were assaulted by the accused persons by lathi, farsa over the head due to which caused head injury thereafter Sundari Devi and Reena Devi came with bricks in their hands and assaulted Kanchan Devi over her face and Richa Kumari (daughter of informant) came then she was also assaulted and Reena Kumari took knife from the hand of Mithun Kumar and gave knife blow over the head of Richa Kumari thereafter the accused persons tried to lock in room then her husband-Sanjay Kumar Yadav came in the courtyard thereafter accused persons attacked upon him by farsa, iron

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rod, knife and Mithun Kumar assaulted her husband by farsa over his head and Reena Devi tried to put them on fire by pouring kerosene oil and on arrival of police they fled away and with the help of villagers the injured were brought to Sadar Hospital Saharsa.

Heard both sides and perused the record. On perusal of materials available on record, it appears that the present case has been registered under sections— 341, 323, 324, 307, 447, 448, 504, 506/ 34 of Indian Penal Code and the petitioners are FIR named accused. As per allegation in this case, the accused-petitioners along with other co-accused persons are alleged to have indiscriminately assaulted the informant and her family with intention to kill due to which total five injured sustained serious injuries. There are ample materials against the petitioner in case diary and witnesses have supported the case of prosecution in paragraph nos.- 5 & 10 of the case diary. The injury reports and supplementary injury reports of injured are available in paragraph no. 46 and 87 of the case diary which shows the nature of injury of injured Sanjay Kumar Yadav as Grievous, though injuries of other injured are found simple in nature but on the vital part of the body i.e. on head and there is specific allegation against these petitioners of assault by iron rod over the person of victim-Lalan Yadav and Sanjay Kumar Yadav. Further, in this case charge-sheet has been submitted against the petitioners and charge has also been framed on 06.04.2026. Furthermore, the regular bail of the petitioners have earlier been granted by the learned sessions court in R.B.A. No. 183/2022 vide order dated 04.03.2022 with condition that if the injury of victim Sanjay Yadav found serious or he reported to be in hospital for treatment, then bail bond of the petitioners shall be cancelled. The allegation levelled against the petitioner is serious in nature. Petitioner is in judicial custody since 18.02.2026.

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Having gone through the above discussions and considering the facts and circumstances of the case as well as gravity of serious and obnoxious allegation against the accused-persons, it is not justiciable to release them on bail. Hence, the prayer for bail of accused petitioners namely, **1. Suren Yadav @ Surendra Yadav and 2. Mithun Kumar** is hereby **Rejected** with direction that, if the trial will not be concluded within two months from the date of this order, then the petitioners may get privilege to file a fresh bail petition.

**Dictated & corrected by me
Sd/-**

**Distt. & Addl. Sessions Judge-II
Saharsa. Dated: 18.04.2026**