

In the Court of District & Additional Sessions Judge-II
Rosera , District-Samastipur
B.P. No. 671 of 2026
C.I.S. No. 191 of 2026
(Arising out of Singhiya P.S. Case No. 85 of 2026)

In the matter of

Heera YadavAccused/ Petitioners.

VS.

State of Bihar. Prosecution/O.P.

On behalf of the state/prosecution- Sri Ram Kumar, Ld. APP.

On behalf of the petitioner- Sri Krishna Kumar Ld. Advocate.-

17.06.2026

ORDER

The present regular bail petition has been filed on behalf of the accused petitioner namely **Heera Yadav** in connection with Singhiya P.S. Case No. 85 of 2026 under Sections- 115(2), 126(2), 118(2), 109, 74, 303(2), 351(2), 352, 3(5) of B.N.S.

As per the F.I.R., the prosecution story, in brief, is as follows-

The informant, Vimal Yadav stated in his application that on 10.04.2026, at about 09:30 AM he and his brother, Sanjay Yadav and cousin, Sujeet Yadav were going to purchase material for their mother's Shradh Karm carrying approximately Rs. 1.5 Lakh. Due to previous land dispute, as soon as they approached near Durga Mandir, he and his relatives were allegedly attacked by the FIR named accused persons alongwith 5 unknown miscreants armed with lathis, iron-rods, spears, axes, swords and pistol, causing serious injuries to them. When his relative arrived after hearing the halla, they were also assaulted them by the accused persons. The accused persons have snatched all cash and gold ornaments. The accused persons have threatened to kill them and fled away from the scene. In the background of aforesaid incident, the instant case has been lodged.

Ld. Counsel for the accused petitioner has submitted that no anticipatory or regular bail petition has ever been moved or pending or has been disposed of either by the Ld. Court of DAJ Rosera, or by the Hon'ble High Court, Patna. The petitioner has one criminal antecedent in which he is on bail. The petitioner is in custody since 15.04.2026. The land dispute is going on between the informant family and petitioner's family since long. Case and counter case are also running between the parties for land dipute. The petitioner is quite innocent and has committed no offences. The petitioner is ready to abide by the terms and conditions imposed by the learned court. There is no chance of his absconding or tempering with the evidence. So, he prays to enlarge the accused petitioner on bail.

On the other hand Ld. APP on behalf of state opposed the prayer for bail.

Heard both sides. On perusal of the record, it appears that there is an allegation of assault by the accused petitioner to Sanjay Yadav by means of a Farsa on his head.

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Admittedly, one criminal case is pending against the accused petitioner in addition to this one. Despite the direction, the formal injuries report has not been submitted by the I.O. in the court. However, some documents related with the treatment of Sanjay Yadav are available on the record. With the consent of both the parties, this court is proceeded with to pass an order on the basis of the material available on the record. A Bed Head Ticket of Sanjay Yadav and NCCT brain report are available on the record. According to the BHT, the injured Sanjay Yadav was admitted in Ortho Department of the DMCH. According to NCCT brain report no obvious intracranial contusion was found. The charge-sheet against the accused petitioner has already been submitted. Therefore, there is no apprehension of interference by the accused petitioner in the investigation of this case. The petitioner is in judicial custody since 15.04.2026.

Considering aforesaid facts and circumstances of the case and period of custody of the petitioner, this court is inclined to released the petitioner on bail. Accordingly, the petitioner, namely **Heera Yadav** is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each with the satisfaction of the Id. court below. The petitioner shall file his bail bonds only after framing of charge. One of the bailors shall be father/mother/brother/sister/wife of the petitioner and other bailor shall be a close relative of the petitioner.

Dictated

(Rajiv Kumar Mishra)
District & Addl. Sessions Judge -II
Rosera

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