

In the Court of District & Additional Sessions Judge-II
Rosera , District-Samastipur
B.P. No.751 of 2026
C.I.S. No. 214 of 2026
(Arising out of Bithan P.S. Case No. 63 of 2026)

In the matter of

Ram Nath Yadav.....Accused/ Petitioner.

vs.

State of Bihar..... Prosecution/O.P.

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

On behalf of the petitioner- Sri Chandan Kumar Singh, Ld. Advocate.-

29.06.2026

ORDER

The present regular bail petition has been filed on behalf of the accused petitioner namely **Ram Nath Yadav** in connection with Bithan P.S. Case No. 63 of 2026 under Sections- 126(2), 115(2), 109, 117(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 Umashankar Yadav has stated in his application that on 12.05.2026 at 06:30 PM, his son Sudhir Bharti has gone Barahi Chowk for taking tea and breakfast. As soon as he reached at the chowk, all FIR named accused persons have abused and brutally assaulted his son by means of iron rod, shocker of motorcycle, causing serious injuries. In this 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 DASJ Rosera, or by the Hon'ble High Court, Patna. The petitioner has 03 criminal antecedents. The petitioner is in custody since 15.05.2026. Real fact is that petitioner side was brutally assaulted by informant side for that Bithan P.S. Case No. 64 of 2026 has been registered. This false case has been filed to put undue pressure over the defence side. Due to old enmity, this false case has been filed. 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. Therefore, the bail may be granted to the petitioner.

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 are allegation of assault against the accused petitioner by means of iron-rod to the son of the informant. According to the para 53 of the case diary, the accused petitioner has no criminal antecedent. However, the accused petitioner has admitted in his bail petition that as many as 03 criminal cases are pending against him. Para 54 of the case diary reveals the injury report of Sudhir Bharti, the son of the informant. According to this injury report as many as 08 injuries were found on the body of the injured. Out of

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Continue <u>29.06.2026</u>	aforesaid 08 injuries 02 of them were found over the scalp of the injured. The injury reports confirm the repeated blow by the accused persons on the body of the injured. It is pertinent to mention that out of 08 injuries, 04 of them are greivious in nature. There is direct and specific allegation of assault against the accused petitioner. Considering the gravity of allegation, insensitivity of the petitioner and manner of offence, it is not a fit case to grant bail to the petitioner. Accordingly, the bail petition stands rejected. Dictated (Rajiv Kumar Mishra) District & Addl. Sessions Judge -II Rosera
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