

In the court of Ist Addl. Sessions Judge, Sheikhpura.  
Presiding Officer: Sri Neeraj Kishore  
Anticipatory Bail Petition No. 126/2026  
**Shiv Balak Yadav. Vs. State of Bihar**

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Anticipatory Bail Petition No. 126/2026  
**Shiv Balak Yadav. Vs. State of Bihar**

**Arising out of SC/ST P.S Case No. 54/2025**

**U/s - 126(2), 115(2), 76, 352, 351, 3(5) BNS r/w Sec. 3(1) (r), 3 (2) (va) of SC/ST Act.**

**1. Shiv Balak Yadav aged about 61 years**

**S/o Sohar Yadav**

**R/o Vill. – Masaudha**

**P.S – Kasar**

**Dist.- Sheikhpura**

**..... Petitioner**

**Vs.**

**State of Bihar (Through Anita Devi)**

**..... O.P**

Counsel for the petitioner ----- Sri. Banarsi Prasad Yadav, Ld. Advocate

Counsel for the State -----Sri. Chandramauleshwar Prasad , Ld. Spl. P.P

### **ORDER**

**01.04.2026** Anticipatory Bail petition dated 24.02.2026, filed on behalf of the accused/ petitioner Shiv Balak Yadav, who apprehends his arrest in connection with SC/ST P.S Case No. 54/2025, under Sections – 126 (2), 115(2), 76, 352, 351, 3 (5) of B.N.S. and Sec. 3 (1) (r) (s)/3 (2) (va) of SC/ST Act pressed today.

Pressing the bail petition, learned counsel for the petitioner has submitted that the petitioner is quite innocent and has committed no offence and has been falsely implicated in this case due to village politics. It has been further submitted that no bail petition either regular or anticipatory has been filed on behalf of the petitioner either before this sessions division or before the Hon'ble High Court and the petitioner does not have any criminal antecedent. It has further been submitted that the FIR has been lodged U/ss- 126(2), 115(2), 76, 352, 351, 3(5) of BNS and Sec. 3 (1) (r) (s), 3 (2) (va) of SC/ST Act

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SC/ST P.S. Case No. 54/2025 Dated- 01.04.2026

Addl. S.J.Ist, Sheikhpura

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however, the allegations U/s - 126, 115 (2), 352, 351, 3 (5) of BNS are bailable in nature and offences U/s- Sec. 76 of B.N.S and Sec. 3 (1) (r) (s), 3 (2) (va) of SC/ST Act is not made out against the petitioner. It has been further submitted that the present case is the counter blast of Kasar P.S Case No. 2/2026 preferred by the petitioner side and the informant has filed the present case to protect her family members from Kasar PS Case No. 2/2026. It has been further submitted that informant is an influential person and is involved in rural politics and has filed the present case to pressurize the petitioner.

The Ld. Spl. P.P. for the State opposed the bail of the petitioner.

The prosecution case in brief is that informant Anita Devi, W/o Rambalak Chaudhary, resident of Masora, P.S - Kasar, District Sheikhpura, stated therein that on 10.12.2025, at about 4:30 P.M, two men from her village, 1. Shiv Balak Yadav and 2. Vikas Yadav, came at her house abused her and asked her that her son has become rangdar and has a short beard, they will kill him and they ran at her roof with a khanti in their hands, broke 100 bricks of her roof and threw them in her courtyard and when she objected and said why were they doing so, they got down, grabbed her hair and threw her on the ground with bad intentions. When her daughter-in-law came to save her, accused Vikas Yadav started abusing her and said that Shali Pasini has become arrogant and assaulted her daughter-in-law twice with iron rod and snatched eight anna gold mangalsutra from her neck and tore her clothes and disrobed her. As per the informant when her son Sit Chaudhary came to stop the fight both father and son assaulted him with iron rod. On hulla when villagers gathered the accused threw bricks on her roof and fled threatening, that Shali Pasini, if you file a case, they would kidnap her daughter-in-law.

On the other hand, the learned Special P.P. for the state has opposed the prayer of anticipatory bail and has also submitted that from perusal of the order-sheet it reveals that cognizance of the offences has been taken on 09.02.2026 and the accused-petitioner is still not appearing before the Court. So, his conduct reveals that he is not cooperating in trial and also further submitted that A.B.P. is not maintainable. Accordingly, prayer has been made to reject the Anticipatory bail petition filed on behalf of the accused-petitioner as named above.

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I have heard the rival submissions and perused the case record along with the case diary. The allegation against the petitioner is that he along with the co-accused assaulted, and abused the informant and her family members with their caste name. The allegation of the informant is corroborated with the injury report. There is sufficient material in the case diary to show the complicity of accused petitioner in the alleged offences and a prima facie case is made out against the petitioner. Cognizance of the offences has been taken under the alleged sections on 09.02.2026 and petitioner is still not appearing before the court.

Thus, considering the above mentioned facts and circumstance of the case, nature of allegation, gravity of the offence and keeping in view the provisions contained in Section 18 of Scheduled Caste and Scheduled Tribes ( Prevention of Atrocities ) Act, no anticipatory bail shall lie. Accordingly prayer for grant to the anticipatory bail of accused-petitioner namely, Shiv Balak Yadav is hereby **rejected**.

Any observation made herein will be inconsequential during trial or any further stage of the case.

Dictated

(Neeraj Kishore)  
Addl. Sessions Judge- 1st  
Sheikhpura

Date of Judgment /Order	01.04.2026
Date of Reserving Judgment/Order	01.04.2026
Uploading date	02.04.2026
Uploaded by	Md. Reyazul Haque