

**In the Court of Sessions Judge, Supaul**

**B.A.-126/2026**

**(Arising out of Supaul PS Case No:-640/2025)**

	<p>Prakash Yadav @ Mishriya, S/o-Menjan Yadav, R/o- Sant Nagar, Ward No.27, under Nagar Parisad, Supaul, PS- Supaul, District- Supaul;</p> <p style="text-align: right;">.....Accused/Petitioner</p> <p style="text-align: center;">Vs.</p> <p>State of Bihar .....O.P.</p>	
<b><u>10/04/26</u></b>	<p>Ld. Counsel for petitioner Sri. Shankar Kumar Singh, Advocate.</p> <p>Ld. PP Sri. J.N.Pandey, for the State.</p> <p>Ld. counsel for informant Sri. Raj Kumar Singh, Advocate.</p> <p>By this order we are going to dispose off the bail application filed on behalf of accused/ petitioner, namely Prakash Yadav @ Mishriya, who is in judicial custody since 29.01.2026 in connection with Supaul P.S. Case No.640/2025, u/s- 126(2), 115(2), 352, 351(2), 74, 109(1), 3(5) of BNS.</p> <p>Ld. counsel for the accused/ petitioner submitted that accused/ petitioner is quite innocent and has committed no crime and he has falsely been implicated in this case due to dirty village politics and land dispute. He further submitted that accused/ petitioner has not involved in any other case and having the clean antecedent. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioner. He further submitted that a cross-case was also filed by the accused persons against the informant and her family members bearing Supaul PS Case No.641/25. It is also submitted that accused/ petitioner is in judicial custody since 29.01.2026 and no useful purpose would be served by keeping the accused/ petitioner behind the bar.</p> <p>Ld. PP for the State strongly opposed the prayer of bail application.</p> <p>In brief, the prosecution story is that on dated 23.12.2025 at about 06:00 P.M., the informant along with her husband and son were at her house at Sant Nagar, Ward No.27, Supaul and suddenly 10 accused persons named in FIR including this accused/ petitioner along with 10-12 other unknown persons gathered there with deadly weapon such as spade, <i>dabiya</i>, <i>khanti</i> and iron-rod and forcibly tried to construct the urinal at the land of the informant. When the informant tried to stop them then the accused persons started abusing the informant and at the instigation of accused Surendra Yadav, accused Ramanand Yadav, Kumar Bharti, Prakash Yadav and Rajendra Yadav assaulted the informant by kick and fist and accused Ramanand Yadav put the informant on the ground and repeatedly assaulted her and also torn her clothes. When the husband of the informant tried to save her then accused Prakash Yadav, Ramanand Yadav, Surendra Yadav, Nitish Kumar and Subhash Kumar also repeatedly assaulted him by iron-rod. Accused Prakash Yadav also assaulted the husband of the informant by brick, thereby he sustained injury on his eye and head and accused Ramanand Yadav also assaulted him by iron-rod. The accused persons also destroyed the four-wheeler vehicle standing near the house of the informant. Accused Satan Yadav assaulted Videsh Anand by brick on his head and accused</p>	Contd.

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Subhash Kumar and Anil Yadav assaulted Tenu Anand by iron-rod. When the villagers were gathered there then the accused persons ran away from the place of occurrence.

Argument heard from both sides and perused the record as well as case diary. Admittedly, the accused/ petitioner is in judicial custody since 29.01.2026. On going through the case diary, it transpires that the police has also recorded the statement of the witnesses namely Shatrughan Kamat, Ganeshi Sah, Shyam Sundar Yadav and Biren Yadav and they have duly supported the contention of the informant. On going through the injury report of injured Tenu Anand and Videsh Anand, the doctor has opined the nature of injury of both injureds as simple. Similarly, as per the injury report of injured Harishchandra Prasad Yadav, the doctor has found the injuries 2cm x 2cm x skin deep bruise on left side of forehead and 2cm x 2cm x skin deep bruise on left side of cheek and the doctor has opined the nature of injury as grievous. As per para No.71 of the case diary, this accused/ petitioner is also involved in two other criminal cases bearing Supaul PS Case No.299/18 and Supaul PS Case No.543/24. On minute scrutiny of the entire case diary as well as *Fardbyan*, it transpires that there is specific allegation against this accused/ petitioner for causing injury to the injured Harishchandra Prasad Yadav. Though, the doctor has opined the nature of injury of injured Harishchandra Prasad Yadav as grievous, but the accused/ petitioner is in judicial custody since 29.01.2026 and the investigation of this case is almost complete and no useful purpose would be served by keeping the accused/ petitioner behind the bar. It is also pertinent to mention here that both the informant and the accused/ petitioner are of the same family and there is land dispute between them and a cross-case was also filed by one of the accused of this case against the informant and her family members bearing Supaul PS Case No.641/25.

Keeping in mind the period of custody, land dispute between both the parties and a cross-case was also filed by the accused persons against the informant and his family members. Hence, I find that accused/ petitioner is entitled to be enlarged on bail. Therefore, the bail application, filed on behalf of accused/ petitioner, namely Prakash Yadav @ Mishriya stands **Allowed** on furnishing bail bond of Rs.20,000/- with two sureties of the like amount each to the satisfaction of learned Court below and one of the bailor must be family member or close relative.

Dictated  
-Sd-  
(Anant Singh)  
Sessions Judge, Supaul