

In the Court of Sessions Judge, Supaul

A.B.A.-307/2026 & ABA-549/2026

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

ABA-307/2026

Surendra Yadav, S/o- late Vasudev Yadav, R/o- Nagarparishad Supaul, Ward No.27, PS- Supaul, District- Supaul;

.....Accused/Petitioners
Vs.

State of Bihar.O.P.

ABA-549/2025

1. Anil Yadav @ Anil Kumar Yadav, S/o- Satyanarayan Yadav;
2. Satan Yadav @ Satyanarayan Yadav, S/o- late Barishlal Yadav, both R/o- Sant Nagar, Ward No.27, Nagar Parisad Supaul, PS- Supaul, District-Supaul;

.....Accused/ petitioners
Vs.

State of BiharO.P

10/04/2026

Ld. Counsel for petitioners Sri. Shankar Kumar Singh and Sri. Sudhir Kumar Jha, Advocates.

Ld. PP Sri. J.N.Pandey, for the State.

By this order we are going to dispose off two anticipatory bail applications i.e., ABA-307/2026 filed on behalf of accused/ petitioner, namely Surendra Yadav and ABA-549/2026 filed on behalf of two accused/ petitioners, namely Anil Yadav @ Anil Kumar Yadav and Satan Yadav @ Satyanarayan Yadav, who are apprehending their arrest. As both the anticipatory bail applications arises out of same police station i.e., Supaul PS Case No.640/2025, u/s- 126(2), 115(2), 352, 351(2), 74, 109(1), 3(5) of BNS.

Ld. counsel for the accused/ petitioners argued that accused/ petitioners are quite innocent and have committed no offence and they have falsely been implicated in this case due to dirty village politics. They further submitted that accused/ petitioner Satyanarayan Yadav is also involved in one more case. However, accused/ petitioners Surendra Yadav and Anil Yaadav have not involved in any other criminal case and having the clean antecedent. They further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioners. They 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/ petitioners are ready to abide by the provisions of section 482 of B.N.S.S, so they may be admitted to the anticipatory bail.

Ld. PP for the State strongly opposed the anticipatory bail application.

In brief, the prosecution story is that on dated 23.12.2025 at about 06:00 P.M.,

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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 these three accused/ petitioners along with 10-12 other unknown persons gathered there with deadly weapon such as spade, *dabiya*, *khanti* 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 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. 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. However, the doctor has opined the nature of injury of injured Harishchandra Prasad Yadav as grievous. On minute scrutiny of the entire case diary as well as *Fardbyan*, it transpires that the only allegation against the accused/ petitioner Surendra Yadav of exhorting the other accused person and there is no any specific allegation against him for causing any injury to the injured persons. Though, as per FIR there is specific allegation against the accused/ petitioners Anil Yadav @ Anil Kumar Yadav and Satan Yadav @ Satnarayan Yadav for causing injury to the injured Tenu Anand and Videsh Anand, but the doctor has opined the nature of injury of Tenu Anand and Videsh

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Yadav as simple. It is also pertinent to mention here that the husband of the informant and the accused/ petitioner Surendra Yadav are the real brother 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 nature of allegation, land dispute between both the parties and a cross- case was also filed by the accused persons against the informant and her family members. Hence, I find that all the accused/ petitioners are entitled to get the benefit of anticipatory bail. Therefore, the prayer for anticipatory bail of all accused/ petitioners stands **Allowed** and in the event of their arrest or surrender before the court within 15 days from the date of receipt of a copy of this order, petitioners are directed to be released on furnishing bail bonds of Rs.20,000/- each with two sureties of like amount each to the satisfaction of Learned Court below with condition that they shall abide by all the conditions laid down in section 482 of B.N.S.S and one of the bailor must be the family member or close relative.

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