

In the Court of Sessions Judge, Supaul

A.B.A.-368/2026

(Arising out of Nirmali PS Case No:-235/2025)

04/04/2026	<p>1. Ramchandra Yadav, S/o- Bechan Yadav; 2. Lalit Kumar Yadav, S/o- Bechan Yadav; 3. Raj Kumar Yadav, S/o- Bechan Yadav; 4. Chandan Yadav, S/o- Ramchandra Yadav; 5. Rambharos Yadav, S/o- Late Baua Lal Yadav, 6. Brahmdeo Yadav, S/o- Late Lakhan Yadav, All R/o- Dudhaila, Ward No.08, PS-Nirmali, District- Supaul;</p> <p style="text-align: right;">Accused/Petitioners</p> <p style="text-align: center;">Vs.</p> <p>State of Bihar.O.P.</p> <hr/> <p style="text-align: center;">Ld. Counsel for petitioners Shri. Binod Kant Jha, Advocate. Ld. PP Sri. J.N.Pandey, for the State.</p> <p>By this order we are going to dispose off the anticipatory bail application filed on behalf of accused/ petitioners, namely 1. Ramchandra Yadav, 2. Lalit Kumar Yadav, 3. Raj Kumar Yadav, 4. Chandan Yadav, 5. Rambharos Yadav, 6. Brahmdeo Yadav, who are apprehending their arrest in connection with Nirmali PS Case No.:– 235/2025, u/s- 126(2), 115(2), 117(2), 109, 303(2), 351(2), 351(3), 352, 3(5) of B.N.S.</p> <p>Ld. counsel for the accused/ petitioners argued that accused/ petitioners are quite innocent and have committed no crime and they have falsely been implicated in this case due to dirty village politics and land dispute. He further submitted that accused/ petitioners are also involved in two other cases. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioners. 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.</p> <p>Ld. PP for the State strongly opposed the anticipatory bail application.</p> <p>In brief, the prosecution story is that on dated 28.12.2025 at about 12:00 noon, the informant has gone to participate in a Panchayat and 12 accused persons named in FIR including these accused/ petitioners along with other unknown persons gathered at the agricultural land bearing Khesra No.1102 and the accused Ram Bharosh Yadav started abusing the informant and on his instigation all the accused persons started assaulting the informant by kick and fist. Accused Ram Bharosh Yadav took out the pistol and snatched cash of Rs.10,000/- from the pocket of the informant and accused Poonam Devi took out the iron-rod and handed over the same to accused Indardeo Yadav and accused Indardeo Yadav also assaulted the informant on his head and chest repeatedly, thereby he sustained injury. Accused Poona Devi also assaulted Birbahadur Yadav on his left eye and accused Ram Bharosh Yadav also snatched</p>	Contd.
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<p><u>Contd.</u> <u>04/04/2026</u></p>	<p>golden chain from Birbahadur Yadav.</p> <p>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 also recorded the statement of the witnesses namely Birbahadur Yadav, Santosh Yadav, Birendra Yadav, Lal Bahadur Yadav and Rajeshwar Yadav and they have duly supported the prosecution case. As per the injury report of injured/ informant, the doctor has opined the nature of injury as simple caused by hard and blunt object. However, the doctor has reserved the opinion of injured Birbahadur Yadav. As per the Supervision report as stated by the I.O in para No.45 of the case diary, the police has not found any evidence regarding the snatching of jewelry and taking away the cash from the informant and his family members. On minute scrutiny of the entire case diary as well as <i>Fardbyan</i>, it transpires that the main allegation is against the accused Inardeo Yadav for causing injury to the injured/ informant, but who is not the petitioner herein. Though the name of these accused/ petitioners are appearing in FIR but there is no any specific allegation against these accused/ petitioners for causing injury to any injured person. Apparently there is land dispute between both the parties and a cross-case was also filed by one of the accused of this case against the informant and his family members bearing Nirmali PS Case No.238/25.</p> <p>Keeping in mind the nature of allegation as well as a counter-case was also filed by the accused persons against the informant and his family members, hence, I find that all the accused/ petitioners are entitled to get the benefit of anticipatory bail. Hence, the prayer for anticipatory bail of all the 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, they 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 family member or close relative.</p> <p style="text-align: right;">Dictated -Sd- (Anant Singh) Sessions Judge, Supaul</p>	
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