

In the Court of Sessions Judge, Supaul

A.B.A.-923/2026

(Arising out of Karjain PS Case No:-63/2026)

<u>20/06/2026</u>	1. Bhola Yadav, S/o- late Babuji Yadav, 2. Savita Devi @ Sarita Devi, W/o- Asharfi Yadav, 3. Vijay Kumar Yadav, S/o- Dhanpat Yadav, 4. Dhanpat Yadav, S/o- late Babuji Yadav, 5. Mithlesh Kumar Yadav, S/o- Satya Narayan Yadav, 6. Harinarayan Yadav, S/o- Panchi Yadav, 7. Subodh Kumar Yadav, S/o- Bhola Yadav, 8. Darpi Yadav, S/o- Late Babuji Yadav, 9. Madhu Kumari, W/o- Vinod Yadav, 10. Arti Kumari, W/o- Vijay Kumar Yadav, All R/o-Berdah, Ward No.10, PS- Karjain, District- Supaul; Accused/Petitioners Vs. State of Bihar.O.P. Ld. Counsel for petitioners Shri. Shiv Bhushan Singh, Advocate. Ld. APP Sri. Amar Kumar Das, for the State. By this order we are going to dispose off the anticipatory bail application filed on behalf of accused/ petitioners, namely 1. Bhola Yadav, 2. Savita Devi @ Sarita Devi, 3. Vijay Kumar Yadav, 4. Dhanpat Yadav, 5. Mithlesh Kumar Yadav, 6. Harinarayan Yadav, 7. Subodh Kumar Yadav, 8. Darpi Yadav, 9. Madhu Kumari and 10. Arti Kumari, who are apprehending their arrest in connection with Karjain PS case No.63/26, u/s- 191(2), 191(3), 190, 126(2), 115(2), 109, 76, 303(2), 352, 351(2), 118(1) of B.N.S. 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 have 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/ petitioners. He further submitted that a cross-case case was also filed by one of the accused of this case namely Omprakash Kumar Yadav against the informant and his family members bearing Karjain PS Case No.65/26. 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. APP for the State strongly opposed the anticipatory bail application. In brief, the prosecution story is that on dated 07.04.2026 at about 10:00 A.M., 21 accused persons named in FIR including these accused/ petitioners having deadly weapon such as iron-rod, stick and another weapon gathered at the house of the informant and forcibly entered into his house and mercilessly assaulted the informant. The informant further alleged that accused Vijay Yadav having the iron-rod also assaulted on his head, thereby he sustained injury and his head was fractured. When the brother of the informant namely Pramod Yadav came there to save the informant then the accused persons also	Contd.
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assaulted him and also snatching the golden locket worth of Rs.48,000/-. The accused persons also assaulted the brother of informant namely Pandav Kumar and also misbehaved the female members of the informant.

Argument heard from both sides and perused the record as well as case diary. On perusal of the case diary, it transpires that the police also recorded the statement of the witnesses namely Vikash Kumar, Pramod Kumar Yadav, Pandav Kumar, Uma Devi, Bechan Yadav, Kanchan Devi and Puja KUmari and all the witnesses have duly supported the prosecution case. As per the injury report of injured Uma Devi and Amod Yadav, the doctor has opined the nature of injury of both injureds as simple. Similarly, as per the injury report of injured Pramod Kumar Yadav, the doctor has found no significant abnormality detected in the chest and on the head. As per the injury report of injured Pandav Kumar, the doctor has found scalp swelling is seen in bilateral frontal region. However, the doctor has reserved the opinion. On minute scrutiny of the entire case diary as well as *Fardbyan*, it transpires that though there is specific allegation against the accused/ petitioner Vijay Yadav causing injury to the injured/ informant Amod Yadav, but the doctor has opined the nature of injury of injured Amod Yadav as simple and the allegation against the other accused/ petitioners are general in nature. It is pertinent to mention here that there is land dispute between both the parties and a cross-case was also filed by one of the accused of this case namely Omprakash Kumar Yadav against the informant and his family members bearing Karjain PS Case No.65/26.

Hence, keeping in mind the nature of injury, land dispute between both the parties and there is a cross-case was also filed by one of the the accused of this case namely Omprakash Kumar Yadav against the informant and his family members, I find that all the accused/ petitioners are entitled to get the benefit of anticipatory bail. Therefore, 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.

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