

In the Court of Addl. Sessions Judge-Vth, Siwan.
Anticipatory Bail Petition No. 1116/2026
Barharia P.S. Case No. 460/2025
Krishna Yadav and four others Petitioners.
Vs.
The State of Bihar O.P.

ORDER

29.06.2026

This anticipatory bail petition has been filed on behalf of accused-petitioners namely **Krishna Yadav, Anish Yadav, Ram Naresh Yadav, Arti Devi and Madhu Devi @ Madhuri Devi** in apprehending their arrest in connection with Barharia P.S. Case No. 460/2025 registered u/s 126(2), 115(2), 303(2), 76, 118(1), 117(2), 352, 351(2), 3(5) of BNS against the petitioners, put up and pressed.

Heard both sides.

As per the written petition of informant Vidyavati Devi, the prosecution case, in short, is that on 29.08.2025 at about 11:00 A.M, due to previous rasta dispute, the petitioners with conspiracy, armed with lathi-danda and sword came at the darwaja of the informant and started abusing. On protest by the informant, petitioner Krishna Yadav armed with danda assaulted on the chest of informant and she became injured. It is further alleged that during altercation, petitioner Arti Devi snatched gold jhumka worth Rs. 25,000/- from the ear of the informant. On seeing the occurrence, informant's bhasur Badelal Yadav came for rescue, then petitioner Krishna Yadav assaulted him by means of sword on his head and he sustained head injury. In the meanwhile, petitioner Anish armed with iron rod assaulted informant's bhasur due to which, he sustained fracture of left hand. When, he fell down, then petitioner Ramnaresh Yadav assaulted him on his back and leg. It is further alleged that when informant's bhasur wife Laxmi Devi came for rescue her husband, then petitioner Anish Yadav armed with rod assaulted Laxmi Devi and she sustained fracture on her left hand and she also sustained injury on her right hand. It is further alleged that when Laxmi Devi fell down, then petitioner Madhu Devi snatched gold mangalsutra worth Rs. 13,000/- from her neck. It is further alleged that when informant's daughter came for rescue, she was also assaulted by the accused persons. It is further alleged that accused persons torn clothes of the informant with intention to outrage her modesty.

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Ld. Counsel of petitioners submits that the petitioners are innocent and have committed no offence rather they have falsely been implicated in this case. The petitioners bear clean past having no criminal antecedent. All the sections are bailable except section 118(1) of BNS. All the allegations as alleged in the F.I.R are entirely false and concocted. There is land dispute is going on in between the parties. No such type of occurrence took place. In the meantime, the petitioners are apprehending their arrest by the local police. There is no chance of their absconding or tampering with the prosecution evidence. Hence, they pray for anticipatory bail.

On the other hand, Ld. A.P.P vehemently opposes prayer of anticipatory bail.

Having gone through the aforesaid facts and submissions as advanced on behalf of both sides and after perusal of record, it appears that this case has been registered u/s 126(2), 115(2), 303(2), 76, 118(1), 117(2), 352, 351(2), 3(5) of BNS against the petitioners. There is allegation against petitioner Krishna Yadav that he armed with danda assaulted on the chest of informant. Petitioner Krishna Yadav also assaulted informant's bhasur Badelal Yadav by means of sword on his head. It is said that petitioner Anish armed with iron rod assaulted informant's bhasur and he sustained fracture of left hand. When, he fell down, then petitioner Ramnaresh Yadav assaulted him on his back and leg. Petitioner Anish Yadav armed with rod also assaulted Laxmi Devi and she sustained fracture on her left hand and she also sustained injury on her right hand.

The doctor found injuries on the person of injured Badelal Yadav as (1) Swelling on forearm of size 4" X 3" of left hand, (2) Lacerated wound on occipital region of size 2" X 1/6" deep scalp caused by hard blunt substance. Nature of injury no. 2 is simple while injury no. 1 is grievous.

The doctor found injuries on person of injured Laxmi Devi as (1) lacerated wound on forearm of size 1/2" X 1/2" deep skin, (2) swelling on left hand dorsal region of size 2" X 2 and 1/2 inch and (3) abrasion on left thigh

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caused by hard blunt substance. The doctor opined nature of injury nos. 1 and 3 is simple while injury no. 2 grievous.

The doctor found injuries on the person of injured Vidhawti Devi as (1) abrasion on right breast of size 3" X 1/4" and swelling and (2) Swelling over left thigh of size 2" X 1 and 1/2" caused by hard blunt substance. The doctor opined both injuries are simple in nature. The injury reports corroborate the occurrence. The informant and other witnesses have supported the prosecution story that is evident from para nos. 3, 7, 8 and 9 of case diary. This is pre-arrest bail.

So, considering the aforesaid facts and nature of offence, it does seem proper to grant privilege of anticipatory bail to the petitioners namely **Krishna Yadav, Anish Yadav and Ram Naresh Yadav**. Hence, the prayer for anticipatory bail of these petitioners are **rejected**.

So far as prayer of anticipatory bail on behalf of female petitioners namely Arti Devi and Madhu Devi @ Madhuri Devi is concerned, there is allegation against these petitioners of committing theft of gold jhumka and gold mangalsutra, which seems to be ornamental. Both petitioners are ladies. There is no criminal antecedent against these petitioners as mentioned at para no. 3 of the bail petition.

So, considering the aforesaid facts and being both petitioners ladies, it seems proper to grant privilege of bail to the petitioners namely **Arti Devi and Madhu Devi @ Madhuri Devi**, in the event of their arrest or surrender before learned trial court within four weeks from today after furnishing bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of learned trial court subject to condition as mentioned u/s 482 of BNSS.

(Dictated)

Sd/-

(Umashankar)
Addl. Sessions Judge-Vth,
Siwan.
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