

In the court of District & Addl. Sessions Judge 1st, Bagaha, West Champaran.

Bail Petition No.131/2026

Registration No.-131/2026

(Arising out of Bhairoganj P.S. Case No.-72/2025)

Vijay Yadav, S/o.-Sharda Yadav, aged about 40 years, R/o. Village-Bathwaliya, P.S.-Bhairoganj, Distt.-West Champaran.....Petitioner

vs

State of Bihar.....Opposite Party

10.03.2026 A bail application earlier filed on behalf of accused petitioner namely Vijay Yadav under judicial custody since 10.01.2026 in connection with Bhairoganj P.S. Case No.72/2025, u/s-115(2),109,126(2),308(2),191,190 BNS pending in the learned Court of Sri Tarique Shamim, J.M. 1st Class, Bagaha has been pressed today. Copy of the same has been served to the learned P.P. In-charge for State. Case diary is available on record.

Sri Shailesh Kumar Tiwari, learned counsel on behalf of the petitioner and Sri Shamsul Hoda, learned I/c. P.P. In-charge for State are present before the Court.

The prosecution case in brief as narrated in the written application of informant namely Barsati Devi is that she was constructing hut in her land situated one kilometer north of Baithwaliya village with her husband Prabhu Chaudhary and her two sons namely Basant Chaudhary and Sitwan Chaudhary, in the meantime all the accused persons named in FIR along with 10-12 unknown persons armed with lathi, fatha arrived there and assaulted them. It has been stated that Amar Yadav, Vijay Yadav, Chhotelal Sah and Tapan Yadav assaulted Prabhu Chaudhary, Basant Chaudhary, Shaymsundar Sah and Sriram Sah respectively by means of lathi causing head injury to them due to which they fell down on the ground. It has been also stated that on information, Police arrived there and injured persons were brought to Sub-Divisional Hospital, Bagaha where doctor referred Prabhu Chaudhary, Basant Chaudhary, Shyamsundar Sah and Anil Sah to Bettiah for better treatment. Injured persons were furthered referred to Gorakhpur for better treatment. It has been further stated that accused persons had demanded extortion of Rs.5,00,000/- if informant wants his possession on his land. On the basis of application of informant, present case was registered.

It has been submitted on behalf of the petitioner that he is quite innocent and has committed no offence as alleged against him and has been falsely implicated in this case. Earlier A.B.P. No.465/2025 filed on behalf of the petitioner, which was rejected by the learned Court of the District & Addl. Sessions Juge IV Bagaha and after that Cri. Misc. No.89141/25 was also filed before Hon'ble High Court, Patna which was withdrawn. No other bail application on behalf of the petitioner has been filed either before this court or any superior court. Petitioner has got three criminal antecedent as 01.Bhairoganj P.S. Case No.30/24, 02.Bhairoganj P.S. Case No.64/2025 and 03.Bhairoganj P.S. Case No.65/2025. It has been further submitted that all Sections areailable save and except Sections 109 and 308(2) of BNS, which is not applicable against the petitioner. It has been further submitted that allegedly petitioner assaulted informant's son namely Basant Chaudhary by means of lathi causing head injury to him. Other co-accused persons have been granted bail through B.P. No.744/25 and B.P. No.672/25. Petitioner is under judicial custody since 10.01.2026. Hence, he may kindly be allowed bail.

On the other hand learned P.P In-charge for state vehemently opposed the prayer for bail of the petitioner and submitted that petitioner in association with other co-accused persons brutally assaulted informant side and there is specific allegation against the petitioner to assault informant's son by means of lathi causing injury to him. As per injury report of the injured Basant Chaudhary in case diary para No.34, injury Nos.1 and 2 is simple in nature, while injury Nos.3 and 4 is opined as grievous. In view of above, petitioner do not deserve bail.

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10.03.2026 Heard the parties and perused the F.I.R., case diary and injury report. Allegedly petitioner assaulted informant's son namely Basant Chaudhary by means of lathi causing head injury to him. Land dispute between the parties is admitted in FIR itself. Petitioner is under judicial custody since 10.01.2026.

Considering the aforesaid facts and circumstances of the case and material available on record as discussed above coupled with custody tenure, petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned court below.

(Dictated & Corrected)

(Ravi Ranjan)
District & Addl. Sessions Judge 1st

Date of order	10.03.2026
Date of Reserving Order	10.03.2026
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