

In the court of District & Addl. Sessions Judge 1st, Bagaha, West Champaran.**Anticipatory Bail Petition No.-171/2026****Registration No.-171/2026****(Arising out of Pathkhauli P.S. Case No.55/2026)**

1. Nippu Yadav, s/o.-Shambhu Yadav;
2. Markandey Yadav, s/o.-Marilal Yadav;
3. Sunil Yadav, s/o.-Harilal Yadav;
4. Suman Yadav, s/o.-Late Sriram Yadav;
5. Awadhesh Yadav, s/o.-Late Sriram Yadav;
6. Akhilesh Yadav, s/o.-Sriram Yadav;
7. Shamsher Yadav, s/o.-Radheshyam Yadav;
8. Vikash Yadav, s/o.-Shamsher Yadav;

All r/o. Village-Kailash Nagar, P.S.-Pathkhauli, Distt.-West Champaran.....Petitioners

vs

State of Bihar.....Opposite Party

22.04.2026 Petitioners 1.Nippu Yadav, 2.Markandey Yadav, 3.Sunil Yadav, 4.Suman Yadav, 5.Awadhesh Yadav, 6.Akhilesh Yadav, 7.Shamsher Yadav and 8.Vikash Yadav apprehends their arrest in connection with Pathkhauli P.S. Case No.55/2026, u/s-126(2),115(2),74,109(1),303(2),3(5) BNS pending in the learned Court of A.C.J.M.-I, Bagaha and has filed the present anticipatory bail petition which 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 Brajeshwar Bharti, learned counsel on behalf of the petitioners and Sri Prabhu Prasad, learned P.P. In-charge for State assisted by Sri Lal Sahab Yadav, learned counsel on behalf of the informant are present before the Court.

The prosecution case in brief as narrated in the written application of the informant namely Baliram Sah is that on 04.03.2026 at about 11:00 a.m., his grandson Jai Kumar went to buy spices and did not return for a long time, after searching informant came to know that accused persons namely Nippu Yadav, Markandey Yadav and Sunil Yadav had snatched money from informant's grandson and were assaulting him, when informant arrived there to rescue his grandson all the accused persons fled. After that when informant arrived at his house, he saw that the above-named accused persons and Harilal Yadav were assaulting his grandson to make him quiet and when his grandson seeing informant shouted for help, Sunil Yadav assaulted informant's grandson on the head by means of *lathi* with the intention of killing him, due to which he sustained head injury and fell down on the ground. When informant came to rescue him, Vikash Yadav assaulted informant on the head with the intention of killing him, due to which informant also sustained head injury and fell down on the ground. It has been further alleged that Nippu Yadav assaulted informant's son namely Ashok Soni by means of an iron rod, due to which he also sustained head injury. By then other named accused persons in F.I.R. armed with weapons arrived there and Shambhu Yadav instigated all the accused persons to kill informant and his family members. On this all the accused persons started assaulting informant and his family members and in course of assault, Suman Yadav and Awadhesh Yadav caught informant's daughters-in-law Sangeeta Devi and Puja Devi with wrong intentions and threw them down and tore their clothes and made them half naked and when informant's wife Ramdulari Devi came to rescue them, Vikash Yadav assaulted her and took away mangalsutra worth Rs.40,000/- from her neck. After hue and cry, the villagers came and rescued them and all the accused persons fled. After that informant along with other injured went to the government hospital for treatment. On the basis of application of the informant, present case was registered.

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22.04.2026 It has been submitted on behalf of the petitioners that they are quite innocent and have committed no offence as alleged against them and have been falsely implicated in this case. Earlier no other bail application on behalf of the petitioners have been filed either before this court or any superior court. Petitioner No.5 has got one criminal antecedent as Pathkhauli P.S. Case No.216/25 while other petitioners have got no criminal antecedent. It has been further submitted that all sections are bailable save and except Sections 74,109(1),303(2) BNS. It has been further submitted that offence u/s-74 BNS is not made out because petitioners did not use criminal force upon the victim lady with intention to outrage her modesty. It has been further submitted that offence u/s-109(1) BNS is not made out because there is no intention and preparation to kill the informant and other injured and section 303(2) BNS is ornamental and super addition to make offence non-bailable. It has been further submitted that good sense between informant and petitioners have prevailed and a joint compromise petition filed. Hence, they may kindly be allowed bail.

Learned P.P. In-charge for State assisted by learned counsel on behalf of the informant has conceded that inter-se dispute between the parties has been amicably resolved.

Heard the parties and perused the F.I.R. Allegedly petitioners have assaulted informant side. As per injury report of all the injured in case diary para Nos.21,22,23,24,25 and 26, nature of injury opined as simple, caused by hard and blunt object. Informant appeared before the Court and stated that dispute between the parties has been amicably resolved and a copy of joint compromise petition filed on behalf of the informant side. Learned counsel appearing on behalf of the informant has no objection on point of bail of the petitioners.

Considering the facts and circumstances of the case and materials available on record as discussed above, petitioners in event of their arrest or surrender before the learned Court below within a period of one month from the date of receipt/production of a copy of this order, are 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 subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Dictated & Corrected)

I/c. District & Addl. Sessions Judge 1st

Date of order	22.04.2026
Date of Reserving Order	22.04.2026
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