

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

Anticipatory Bail Petition No. 185/2026

Registration No.-185/2026

(Arising out of Chautarwa P.S.Case No. -72/2026)

1.Vikash Yadav alias Nanhe Yadav, age-26 years, s/o-Lal Babu Yadav
 2.Dipu Yadav alias Bipin Yadav, age-37 years, s/o-Lalbabu Yadav
 3.Radheshyam Dubey, age-49 years, s/o-Late Krishna Dubey
 4.Madhaw Dubey, age-45 years, s/o-Late Krishna Dubey
 5.Lalbabu Yadav, age-60 years, s/o-Late Shankar Pandit
 all are r/o village-Bariarwa, P.S-Chautarwa, District-West
 Champaran.....Petitioners
 vs
 State of Bihar.....Opposite Party

08.04.2026 Petitioners 1.Vikash Yadav alias Nanhe Yadav 2.Dipu Yadav alias Bipin Yadav 3.Radheshyam Dubey 4.Madhaw Dubey 5.Lalbabu Yadav apprehend their arrest in connection with Chautarwa P.S.Case No. 72/2026 registered u/s-109,190,191(2),191(3),115(2),303(2),126(2),352,351(2) BNS pending in the learned Court of the ACJM-I Bagaha and have 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 the state.

Sri Rakesh Kumar Pandey, learned Counsel for the petitioners and Sri Prabhu Prasad, learned P.P.In-charge for State are present before the Court.

The prosecution case in brief as narrated in the fardbayan of the informant Digvijay Dubey is that on 10.02.2026 at about 07:30 a.m, all the accused persons named in FIR having *Lathi-Danda*, iron rod, *Dab* came to his house and abused him due to land dispute. On objection raised by the informant, Madho Dubey caught hold the informant and Vikash Yadav assaulted him by means of *Dab* causing three injuries on his head on the instigation of Lalbabu Yadav due to which he became blood bathed and fell down on the ground. Further Dipu Yadav assaulted the informant by means of iron rod causing injury on his little finger of his left hand and Radheshyam Dubey assaulted him by means of *Danda* causing injury on his neck. Further Lalbabu Yadav, Madho Dubey assaulted the informant by means of lathi-danda causing injury on his chest, back, waist and belly. It has been further stated that Vikash Yadav took out cash of Rupees one lakh from the informant's pocket in course of assault and Madho Dueby threatened to kill the informant if he files a case against the accused persons. Local people rescued the informant and sent him for treatment. On the basis of application of informant, present case was registered.

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 has been filed either before this court or any superior court. Petitioner no.3 and 4. are also named in Chautarwa P.S.Case No.147/2019 and Tr.No.3079/2023. Petitioner no.1,2 and 5 are named in Tr.No.701/2024. It has been submitted that excepting offences u/s-109,303(2) BNS, other offences areailable. Land dispute between the parties is admitted in FIR itself. All the injuries of the informant are simple caused by hard and blunt object. It has been further submitted that as per FIR, informant was assaulted by *Dab*(a sharp weapon) but no sharp cut injury has been found. It has been also submitted that allegation of theft is super addition and allegation u/s-109 BNS is not attracted in this case. Hence, petitioners may kindly be granted privilege of anticipatory bail.

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On the other hand learned P.P In-charge for state vehemently opposed the prayer for bail of the petitioners and submitted that petitioners have assaulted the informant brutally causing four injuries to him. In view of above, they do not deserve anticipatory bail.

Heard the parties and perused the case diary and injury report. From perusal of the same it transpires that there is allegation against the petitioner no.1 Vikash Yadav to assault the informant by means of Dab(a sharp cut weapon) causing three injuries on his head. No sharp cut injury has been found as per injury report of the informant. Allegation against petitioner no.2 Dipu Yadav is to assault the informant by means of iron rod causing injury on his little finger and allegation against petitioner no.3 Radheshyam Dubey is to assault the informant by means of *Danda* causing injury on his neck. Allegation against the petitioner no.4 is to hold the informant. Allegedly petitioner no.5 instigated co-accused persons. All the injuries of the informant are simple caused by hard and blunt object. Admittedly there is land dispute between the parties.

Considering the facts and circumstances of the case and material 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/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below subject to the conditions as laid down u/s-438(2) Cr.P.C with further condition that one of the bailors shall be close relative of the petitioners.

(Dictated & Corrected)

(Manish Dwivedi)
District & Addl. Sessions Judge 1st

Date of order	08.04.2026
Date of Reserving order	08.04.2026
Uploading date	18.04.2026
Uploaded by	Kamlesh Kumar(O.C, DASJ-I)

