

**In the court of District & Addl. Sessions Judge 1st, Bagaha, West Champaran.**  
**Anticipatory Bail Petition No.-194/2026**  
**Registration No.-194/2026**  
**(Arising out of Bathwariya P.S. Case No.01/2026)**

**1.Niranjan Yadav, aged about 28 years, S/o.-Awadhesh Yadav;**  
**2.Nitish Yadav @ Nitish Kumar, aged about 22 years, S/o.-Awadhesh Yadav;**  
**Both r/o. village-Bathwariya, Ward No.08, P.S.-Bathwariya, District-West**  
**Champaran.....Petitioners**

vs

**State of Bihar.....Opposite Party**

**15.04.2026** Petitioners 1.Niranjan Yadav and 2.Nitish Yadav @ Nitish Kumar apprehends their arrest in connection with Bathwariya P.S. Case No.01/2026, u/s-126(2),115(2),118(1),117(2),76,352,3(5),109(1),118(2) of BNS pending in the learned Court of the A.C.J.M.-II, 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. Case diary is available on record.

Sri Upadhyay Sunil Kumar, learned Counsel for the petitioners and Sri Manu Rao, learned I/c. P.P. In-charge for State assisted by Sri Devendra Mani Mishra, learned Counsel for the informant are present before the Court.

The prosecution case in brief as narrated in the fardbayan of informant namely, Shakuntala Devi is that on 26.12.2025 at about 07:00 am, she was sweeping her door. In the meantime, named accused persons in F.I.R. came to her house and started abusing. When objection by informant, Niranjan Yadav assaulted informant by means of *garasi* on her head, due to which she sustained head injury and fell on the ground. It has been further alleged that Rambali Yadav assaulted informant near her left eye by means of *danda* causing injury to her and Nitish Yadav, Pintu Devi and Meera Devi assaulted her with kicks and punches on her back and waist, leaving her half dead and Rambali Yadav tore informant's saree and blouse, due to which she was partially disrobed. Hearing the commotion, people from the neighborhood came and brought her to PHC, Yogapatti, for treatment from there for better treatment she was referred to GMCH, Bettiah. On the basis of fardbayan 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. Earlier no other bail application has been filed on behalf of the petitioners either before this Court or any superior Court. Petitioner No.1 has got three criminal antecedent as 1.Bathwariya P.S. Case No.180/22, 2.Chautarwa P.S. Case No.151/22 and Chautarwa P.S. Case No.401/21 while petitioner No.2 has got no criminal antecedent. It has been submitted there is land dispute between the parties. It has been further submitted that there is case and counter case between the parties. It has been further submitted that all sections areailable except Sections 118(1),76,109(1),118(2) BNS but these sections are not applicable against these petitioners. It has been further submitted that other co-accused persons have been granted bail by the learned Court of A.C.J.M.-II and petitioners also seek bail on similar footing. It has been also submitted that there is no

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**15.04.2026** specific allegation of assault against petitioner No.2. Hence, they may kindly be granted anticipatory bail.

On the other hand learned I/c. P.P. In-charge for State assisted by Sri Devendra Mani Mishra learned counsel for the informant vehemently opposed the prayer for bail of the petitioners and submitted that there is direct allegation against the petitioner Niranjana Yadav to assault informant by means of *garasi* causing head injury to her and petitioner Nitish Yadav in collusion with other co-accused persons have also assaulted the informant. In view of above, petitioners do not deserve anticipatory bail.

Heard the parties and perused the F.I.R and case diary with injury report. From perusal of same, it transpires that petitioners are named in FIR. There is direct allegation against petitioner Niranjana Yadav to assault informant by means of *garasi* causing injury to her. There is land dispute between the parties. Case and counter case between the parties. Injury of informant namely Shakuntala Devi is opined as grievous in nature, caused by hard and blunt substance. As per para No.27 of case diary, petitioner Niranjana Yadav has got three criminal antecedent.

Considering the facts and circumstances of the case and materials available on record as discussed above coupled with specific allegation of assault against the petitioner Niranjana Yadav, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly prayer for anticipatory bail of the petitioner **Niranjana Yadav** is hereby **rejected**.

So far, prayer for anticipatory bail of other petitioner namely Nitish Yadav @ Nitish Kumar is concerned, there is general and omnibus allegation of assault against this petitioner. Petitioner has got no criminal antecedent.

In view of above, petitioner namely **Nitish Yadav @ Nitish Kumar** 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, 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 subject to the conditions as laid down u/s-438(2) Cr.P.C. **with further condition that one of the bailor shall be close relative of the petitioner.**

(Dictated & Corrected)

(Manish Dwivedi)  
District & Addl. Sessions Judge 1<sup>st</sup>

<b>Date of order</b>	15.04.2026
<b>Date of Reserving Order</b>	15.04.2026
<b>Uploading Date</b>	17.04.2026
<b>Uploaded By</b>	Manish Roy, Stenographer, DASJ-I