

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

Anticipatory Bail Petition No. 204/2026

Registration No.-204/2026

(Arising out of Dhanaha P.S.Case No. -86/2026)

1. Anil Yadav, age-25 years, s/o-Virendra Yadav

2. Virendra Yadav, age-45 years, s/o-Late Banshi Yadav

3. Pratima Devi, age-40 years, w/o-Kanhaiya Yadav

4. Rita Devi, age-44 years, w/o-Late Virendra Yadav

all r/o village-Marichahawa, P.S-Dhanaha, District-West
Champaran.....Petitioners

VS

State of Bihar.....Opposite Party

07.04.2026 Petitioners 1. Anil Yadav 2. Virendra Yadav 3. Pratima Devi and 4. Rita Devi apprehend their arrest in connection with Dhanaha P.S.Case No.86/2026 registered u/s-329(3),126(2),115(2),109(1),118(1),352,3(5) BNS pending in the learned Court of Sri Abhishek Kumar Singh, J.M.1st Class, 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 Aditya Kumar Giri, learned Counsel for the petitioners and Sri Prabhu Prasad, learned P.P.In-charge for State assisted by Sri Manoj Kumar Giri, learned counsel on behalf of the informant are present before the Court.

The prosecution case in brief as narrated in the written application of informant Uday Bhan Yadav is that on 11.03.2026 at about 06:30 p.m, Anil Yadav was digging soil from informant's house for filling his house. On objection raised by the informant, all the accused persons named in FIR including petitioners abused him and assaulted him by means of spade and also by fats and kicks. It has been further stated that Virendra Yadav assaulted the informant by means of spade causing head injury for which four stitches were made also caused injury on his leg and back. Informant was rescued by the local people. On the basis of application of the 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 1. Anil Yadav and 2. Virendra Yadav are also named in Dhanaha P.S.Case No.195/2018. Other petitioners have got no criminal antecedent. It has been submitted that there is case and counter case between the parties due to land dispute. Excepting petitioner Virendra Yadav, there is no specific allegation of assault against other petitioners. Offences leveled against the petitioners are not applicable. Hence, petitioners may kindly be granted privilege of anticipatory bail.

On the other hand learned P.P In-charge for state assisted by learned counsel on behalf of the informant vehemently opposed the prayer for bail of the petitioner and submitted that petitioner's side has brutally assaulted informant causing injuries to him. Out of two injuries of the informant, one has been opined to be grievous which is due to fracture of frontal bone and another injury is simple. It has been further submitted that informant has not compromised this case with these petitioners. In view of above, petitioners do not deserve anticipatory bail.

Heard the parties and perused the case diary and other materials on record. From perusal of the same it transpires that there is specific allegation against the petitioner no.2 Virendra Yadav to assault the informant by means of spade causing head injury. Out of two injuries of the informant, injury no.1. is opined to be grievous which is due to fracture of the frontal bone.

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Considering the facts and circumstances of the case and material available on record as discussed above coupled with specific allegation of assault against the petitioner no.2 Virendra Yadav, this court is not inclined to grant privilege of anticipatory bail to him. Accordingly prayer for anticipatory bail of the petitioner no.2 **Virendra Yadav** is hereby **rejected**.

So far prayer for anticipatory bail of other petitioner's 1.Anil Yadav 3.Pratima Devi and 4.Rita Devi is concerned, there is no specific allegation of assault against them. They are family members of the main accused Virendra Yadav. Petitioner no.3 and 4 are female and petitioner no.1 is son of Virendra Yadav. Allegation against these petitioner is general. There is case and counter case between the parties due to land dispute.

In view of above, petitioners 1.Anil Yadav 3.Pratima Devi and 4.Rita Devi, in event of their arrest or surrender before the learned Court below within a period of one month from the date of receipt or 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 one the bailors shall be close relative of the petitioners.**
(Dictated & Corrected)

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

Date of order	07.04.2026
Date of Reserving order	07.04.2026
Uploading date	10.04.2026
Uploaded by	Kamlesh Kumar(O.C, DASJ-I)

