

**IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)**

A.B.P. No. 528/2026

Arising out of Aurangabad (Town) P.S. Case No. 132/2026

**Present:- Rajeev Ranjan Kumar, Sessions Judge, Aurangabad (Bihar)**

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1. Md. Shamim, S/o late Kamruddin, age-51 years, R/o village- Ansar Bagh, Ward No. 10, P.S.- Town Aurangabad, P.O.- Aurangabad, District- Aurangabad (Bihar).

2. Md. Hasnain, S/o Md. Shamim, age-18 years, R/o village- Ansar Bagh, Ward No. 10, P.S.- Town Aurangabad, P.O.- Aurangabad, District- Aurangabad (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

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**Appearance :**

For the Petitioner(s) : Mr. Md. Merajussalam, Adv.  
For the State : Sri Ajay Kumar, P.P.

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**02.04.2026**

Apprehending their arrest in connection with Aurangabad (Town) P.S. Case No. 132 of 2026 instituted under Sections 126(2), 115(2), 117(2), 109(1), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, petitioners have moved before this court for grant of privileges of anticipatory bail. A copy of the anticipatory bail petition has been served upon the ld. P.P. for the State.

The briefly stated prosecution story is that on 14.02.2026 at 02:42 p.m. the informant's brother Md. Shamim, his son Md. Hasnain, Md. Gulzar and Md. Aatif entered into the shop of informant and assaulted to him and his son. In this attack, informant's son named as Md. Nadim had sustained injury over his hand. It is further alleged that Md. Hasnain assaulted to Md. Faizal with the butt of pistol as a result of which he sustained injury over his head.

Learned counsel for the petitioners has submitted that the petitioners are quite innocent and they have not committed any offence. They have been falsely implicated in this case. It is further submitted that the petitioners' side were brutally assaulted by the prosecution party, for which Aurangabad (Town) P.S. Case No. 131/2026 for an offence u/s 126(2), 115(2), 117(2), 109(1), 303(2), 352, 351(2), 3(5) of BNS has been instituted against the informant and his son. Petitioner no. 1 is the brother and petitioner no. 2 is the nephew of informant. Petitioners are having no criminal antecedent. It is therefore prayed that the petitioners be released on anticipatory bail.

Per contra, learned P.P. opposed the prayer for grant of anticipatory bail to the petitioners.

Heard learned counsel appearing for the petitioners and learned P.P. for

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the State.

From perusal of written report, it appears that the petitioner no. 1 is the own brother of informant and the petitioner no. 2 is the son of petitioner no. 1, against whom it is alleged that they had caused injury to the side of the informant, by which one son of the informant had sustained head injury and another son of the informant had sustained hand injury. After medical examination, the aforesaid injuries were found to be simple in nature. Petitioners are having no criminal antecedent, as mentioned in paragraph-3 of the anticipatory bail petition.

Considering the nature of allegations and the fact that the family disputes are going on between the parties and the injuries were found to be simple in nature. Apart from the aforesaid fact, the petitioners are having clean antecedent. **Hence, the anticipatory bail petition filed on behalf of the petitioners Md. Shamim and Md. Hasnain is hereby allowed.** Petitioners are directed to be released on bail in the event of their arrest or surrender before the learned court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount by each petitioners to the satisfaction of the learned court below and the conditions as laid down u/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Dictated

(Rajeev Ranjan Kumar)  
Sessions Judge  
Aurangabad (Bihar)