

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

A.B.P. No. 610/2026

Arising out of Uphara P.S. Case No. 13/2026

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

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1. Dhananjay Paswan, S/o Nageshwar Paswan, age-46 years, R/o village- Nimra, P.S.- Uphara, District- Aurangabad (Bihar).
 2. Om Prakash Paswan, S/o Nageshwar Paswan, age-32 years, R/o village- Nimra, P.S.- Uphara, District- Aurangabad (Bihar).
 3. Lalita Devi, S/o Dhananjay Paswan, age-42 years, R/o village- Nimra, P.S.- Uphara, District- Aurangabad (Bihar).
 4. Sanjay Paswan, S/o late Sukhdeo Paswan, age-50 years, R/o village- Nimra, P.S.- Uphara, District- Aurangabad (Bihar).
 5. Bisan Kumar, S/o Dhananjay Paswan, age-25 years, R/o village- Nimra, P.S.- Uphara, District- Aurangabad (Bihar).
 6. Uday Shankar Paswan, S/o late Ramkeshwar Paswan, age-48 years, R/o village- Nimra, P.S.- Uphara, District- Aurangabad (Bihar).
 7. Teja Devi, W/o Sanjay Paswan, age-36 years, R/o village- Nimra, P.S.- Uphara, District- Aurangabad (Bihar).
 8. Sudhir Kumar, S/o Satyendra Paswan, age-28 years, R/o village- Nimra, P.S.- Uphara, District- Aurangabad (Bihar).
 9. Satish Kumar, S/o Sanjay Paswan, age-25 years, R/o village- Nimra, P.S.- Uphara, District- Aurangabad (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

Appearance :

For the Petitioner(s) : Sri Ashok Kumar Gupta, Adv.
For the State : Sri Devendra Kumar Sharma, I/c P.P.

05.05.2026

Apprehending their arrest in connection with Uphara P.S. Case No. 13 of 2026 instituted under Sections 126(2), 115(2), 74, 303(2), 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 brief facts of the case are that on dated 18.01.2026 at about 02:30 p.m., fourteen accused persons including the petitioners had abused and

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beaten to the informant by an iron rod, lathi and danda causing injury over her head. It is further alleged that Dhananjay Paswan and Om Prakash Paswan had torn the clothes of informant. It is further alleged that Uday Shankar Paswan and Rajnish Kumar had snatched jitiya and earring from the informant.

Learned counsel for the petitioners has submitted that the petitioners are quite innocent and have been falsely implicated in this case. Nothing has been happened as alleged in the F.I.R. The present case is the counter blast of Uphara P.S. Case No. 03/2026. All other sections are bailable in nature except Section 74 and 303(2) of BNS. 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 on behalf of the petitioners and learned P.P. for the State.

So far as present F.I.R. is concerned, fourteen persons have been named as an accused regarding outraging the modesty, causing injury to the informant and snatching a golden chain. It is mentioned in the F.I.R. that the incident was happened on dated 18.01.2026 and she had given her statement on dated 20.01.2026 at Magadh Medical Hospital, Gaya Jee in injured condition but the F.I.R. was lodged on dated 02.02.2026 u/s 126(2), 115(2), 74, 303(2), 352, 351(2), 3(5) of BNS out of whom Sections 74 and 303(2) of BNS are non bailable. There are nine named accused persons, who are petitioners in this case and there is no specific allegation against them except Sanjay Paswan, Dhanajay Paswan and Om Prakash Paswan. Although, it is mentioned at para-28 of the case diary, which is the supervision report that the son of informant along with other persons had caused injury to the side of petitioners in this case and during the aforesaid incident the petitioner no. 2 had been badly injured regarding which Uphara P.S. Case No. 03/2026 dated 13.01.2026 was registered u/s 126(2), 115(2), 117(2), 109(1), 303(2), 352, 351(2), 3(5) of BNS and u/s 3(i)(r)(s)/ 3(2) of the SC/ST Act and the present case is the counter blast of the aforesaid case. Although, the informant of this case has sustained injury over her person and it is mentioned in injury details that a lacerated wound of size 15x0.3 cm bone deep in C shaped manner present over scalp of informant. Despite call for injury report and after giving several opportunities, the I.O. of this case as well as the Civil Surgeon, Aurangabad has failed to submit the same. Petitioners are having no criminal antecedent, as mentioned at para-25 of the case diary.

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Considering the fact that the present case is the counter blast of Uphara P.S. Case No. 03/2026 lodged by the side of petitioner, petitioners are having clean antecedent and the present F.I.R. has been lodged belatedly without any reasonable explanation in that regard. **Hence, the anticipatory bail petition filed on behalf of nine above named petitioners is hereby allowed.** It is directed to release the petitioners 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)