

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

B.P. No. 336/2026

Arising out of Barun P.S. Case No. 92/2026

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

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1. Bharat Tiwary, S/o late Mangal Tiwary, age-35 years, R/o village- Dayalpur, P.S.- Barun, District- Aurangabad (Bihar).

2. Shankar Tiwary, S/o Bharat Tiwary, age-23 years, R/o village- Dayalpur, P.S.- Barun, District- Aurangabad (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

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**Appearance :**

For the Petitioner(s) : Sri Abhay Prasad, Adv.  
For the State : Sri Ajay Kumar, P.P.

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**09.04.2026**

The petitioners, who have been undergoing judicial custody since 05.03.2026, preferred this application for grant of regular bail in connection with Barun P.S. Case No. 92/2026 instituted under Section 126(2), 115(2), 303(2), 109, 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023. A copy of the bail petition has been served upon Ld. P.P. for the state.

The brief facts of the case are that on 04.09.2026 at 08:00 p.m., Bharat Kumar entered into an altercation with the informant regarding land dispute, in the meantime, other accused persons including the petitioner armed with lathi, danda, rod and farsa came and assaulted to the informant and his brother Angad Tiwari and uncle Raju Tiwari. It is further alleged that co-accused Chandan Tiwari and Suraj Tiwari caused injury over the head of informant by lathi and farsa. Sunaina Devi is alleged to have snatched a golden chain from the informant.

Learned counsel for the petitioners has submitted that petitioners are quite innocent and have been falsely implicated in this case as they have not committed any offence as alleged in the F.I.R. No specific allegation of assault has been attributed against the petitioners, rather the specific allegation is against co-accused Chandan Tiwari and Suraj Tiwari, who assaulted to the informant by a farsa causing injury over his head. The allegation of theft is also not against the petitioner. There is land dispute going on between the parties. Petitioners are having one criminal antecedent vide Barun P.S. Case No. 40/2026. One co-accused has been released on bail vide B.P. No. 309/2026 on 17.03.2026. It is lastly submitted that the petitioners have been languishing under judicial custody since 05.03.2026 i.e. more than one month. It is therefore prayed that the petitioners be released on bail.

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

Heard learned counsel appearing on behalf of the petitioners and learned P.P. for the State.

As per F.I.R., nine persons are named as an accused on the allegation that they voluntarily caused injury to the informant. It is an admitted fact that land dispute is going on between the parties. There is specific allegation against co-accused Chandan Tiwari and Suraj Tiwari (who are not the petitioners) that they had caused head injury to the informant. From perusal of injury report it appears that the injuries were found to be simple in nature. There are general and omnibus allegation against the petitioners. The present case is the counter blast of Barun P.S. Case No. 115/2026. Petitioners have been languishing under judicial custody since 05.03.2026. **Hence, considering the aforesaid observation, the bail petition filed on behalf of the petitioners Bharat Tiwary and Shankar Tiwary is hereby allowed.** It is directed to release the petitioners on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount by each petitioners.

Dictated

(Rajeev Ranjan Kumar)  
Sessions Judge  
Aurangabad (Bihar)