

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

B.P. No. 346/2026

Arising out of Aurangabad (Muffasil) P.S. Case No. 89/2026

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

Bhim Paswan, S/o late Narayan Paswan, age-42 years, R/o village- Kathautiya, P.S.-
Muffasil, District- Aurangabad (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

Appearance :

For the Petitioner(s)	:	Sri Shashi Bhushan Kumar, Adv.
For the State	:	Sri Ajay Kumar, P.P.

09.04.2026

The petitioner, who has been undergoing judicial custody since 06.03.2026, preferred this application for grant of regular bail in connection with Aurangabad (Muffasil) P.S. Case No. 89/2026 instituted under Section 126(2), 115(2), 352, 303(2), 109(1), 74, 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 the accused persons including the petitioner entered into the house of the informant, abused and assaulted to her and her labourer Brij Bhuiyan with a lathi and rod as a result of which Brij Bhuiyan sustained injury over his head. It is further alleged that the accused persons caught the hair of the informant and pushed her. The accused persons had stolen Rs. 50,000/- cash, a golden chain and golden earrings.

Learned counsel for the petitioner has submitted that petitioner is quite innocent and has been falsely implicated in this case as he has not committed any offence as alleged in the F.I.R. No specific allegation of assault has been attributed against the petitioner. The allegation of theft is also not specific. The present case is the counter blast of SC/ST Case No. 09/2026. Petitioner is having no criminal antecedent. It is lastly submitted that the petitioner has been languishing under judicial custody since 06.03.2026. It is therefore prayed that the petitioner be released on bail.

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

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

It is alleged against the petitioner that he along with his wife had wrongfully entered into the house of informant and caused head injury to one of her helper in her house. It is further alleged that they had stolen Rs. 50,000/-, a golden

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chain and golden earrings from the house of informant. It is found that the present F.I.R. is the counter blast of SC/ST Case No. 09/2026. Petitioner has been undergoing judicial custody since 06.03.2026. It is mentioned at para-33 of the case diary that petitioner is having no criminal antecedent. From perusal of injury report it is found that injured had sustained two injuries. One linear lacerated wound over left forehead of size approx 4 cm x 1 cm, another injury is lacerated wound over left forehead scalp of size 4 cm x 0.5 cm. However, opinion regarding nature of injury kept reserved as NCCT head was suggested but it was mentioned in the injury report that NCCT was not done till date. It is further mentioned that aforesaid injuries were caused by hard and blunt substance.

Considering the fact that the petitioner has been languishing under judicial custody last more than one month since the injury is kept reserved. Hence, the petitioner cannot be put behind the bars on that very ground. Apart from the aforesaid fact, the petitioner is having clean antecedent and both parties are residing adjacent to each other. Hence, **the bail petition filed on behalf of the petitioner Bhim Paswan 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.

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)