

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

A.B.P. No. 1194/2026

Arising out of Deo P.S. Case No. 130/2026

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

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1. Dhiraj Kumar, S/o late Nandlal Yadav, age-31 years, R/o village- Basdiha, P.S.- Deo, District- Aurangabad (Bihar).
 2. Akhilesh Yadav, S/o Deonath Yadav, age-38 years, R/o village- Basdiha, P.S.- Deo, District- Aurangabad (Bihar).
 3. Kamlesh Yadav, S/o late Subhash Yadav, age-45 years, R/o village- Basdiha, P.S.- Deo, District- Aurangabad (Bihar).
 4. Sunil Kumar, S/o Budhan Yadav, age-23 years, R/o village- Basdiha, P.S.- Deo, District- Aurangabad (Bihar).
 5. Ankit Kumar, S/o Budhan Yadav, age-31 years, R/o village- Basdiha, P.S.- Deo, District- Aurangabad (Bihar).
 6. Shibu Yadav @ Shibu Lal Yadav, S/o late Shiv Lagan Yadav, age-30 years, R/o village- Basdiha, P.S.- Deo, District- Aurangabad (Bihar).
 7. Faujdari Yadav @ Faujdari Kumar, S/o Nandu Yadav, age-28 years, R/o village- Basdiha, P.S.- Deo, District- Aurangabad (Bihar).
 8. Chaman Yadav, S/o late Bhombhu Yadav, age-55 years, R/o village- Basdiha, P.S.- Deo, District- Aurangabad (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

Appearance :

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

03.06.2026

Apprehending their arrest in connection with Deo P.S. Case No. 130/2026 instituted under Section 126(2), 115(2), 303(2), 351(2), 352, 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 Ld. P.P. for the state.

The brief facts of the case are that the accused persons including the petitioners had abused and beaten to the informant. It is further alleged that the accused persons had snatched a golden chain and Rs. 12,000/- cash from the pocket of informant.

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It has been submitted by the learned counsel appearing for the petitioners that the petitioners are quite innocent and has committed no offence. All other sections are bailable in nature except Section 303(2) of BNS. The allegation of theft has been alleged to make the case non-bailable. It is further submitted that the present case is the counter blast of Deo P.S. Case No. 127/2026. Petitioners are having no criminal antecedent. On these grounds, it is prayed that the petitioners be enlarged on anticipatory bail.

Learned P.P. opposed the prayer for anticipatory bail of the petitioners.

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

There is general allegation against the accused persons that they had beaten to the informant and snatched a golden chain and Rs. 12,000/- from his pocket. The alleged incident took place on dated 26.04.2026 but the F.I.R. has been registered on dated 28.04.2026. It is mentioned at para-29 and 30 of the case diary that the petitioners Dhiraj Kumar, Kamlesh Yadav, Akhlesh Yadav, Faujdar Yadav and Chaman Yadav are having no criminal antecedent. It is further mentioned at para-49 of the case diary that Shibu Yadav, Ankit Kumar Sunil Kumar are having no criminal antecedent. Present F.I.R. has been registered u/s 126(2), 115(2), 303(2), 351(2), 352, 3(5) of BNS and prima facie, it appears that Section 303(2) of BNS has been levelled with a view to make the offence non-bailable. There is counter F.I.R. lodged by the side of petitioner vide Deo P.S. Case No. 127/2026. At para-52, which is supervision report and it is mentioned that both sides had entered into scuffle and sustained injury and even the petitioner Dhiraj Kumar had received head injury over his person.

Considering the aforesaid observation, **the anticipatory bail petition filed on behalf of eight 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 subject to the satisfaction of the learned court below and the conditions as laid down u/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita.

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)