

IN THE COURT OF THE PRINCIPAL DISTRICT & SESSIONS

JUDGE, AURANGABAD

A.B.P No.1309/2026

Arising out of Obra P.S. Case No.327/2024

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

Jagdish Mahto, age 47 years, S/o Late Chanarik Mahto, R/o Vill-Makhara, P.O.+P.S-Obra, Aurangabad, Bihar

... Petitioner(s)

Versus

The State of Bihar

...Opposite Party(s)

Appearance :

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

23.06.2026

Apprehending his arrest in connection with Obra P.S. Case No.327/2024 instituted for the offence u/s 115(2), 117(2), 126(2), 329(4), 109, 3(5) of Bharitya Nyaya Sanhita, petitioner has moved before this court for grant of privileges of anticipatory bail. A copy of the anticipatory bail petition has been served upon the Id. P.P. for the State.

The briefly stated prosecution story is that on dated 01.07.2024 at about 07:00AM, all accused persons including the petitioner had assaulted the informant and his wife by lathi and iron rod, causing injury to them. Again on dated 23.07.2024 at about 01:30 PM, Amritesh Kumar had assaulted the nephew of informant in which his nephew sustained injury.

Learned counsel for the petitioner has submitted that the petitioner is quite innocent. Petitioner has been falsely implicated in this case. He further stated that there is a counter case vide Obra P.S case no.333/2024 lodged against the informant and his family members. Petitioner is having no criminal antecedent. It is therefore prayed that the petitioner be enlarged on anticipatory bail.

On the other hand, learned P.P. for the State opposed the prayer for grant of anticipatory bail to the petitioner.

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Heard learned counsel for the petitioner and learned P.P. for the State.

From perusal of an FIR, it appears that the first occurrence took place on dated 01.07.2024 and it is alleged that on the said date the petitioner along with other two co-accused persons had beaten to the informant and his wife but regarding the said incident, neither any FIR nor any complaint was lodged before the court. It is further alleged that on dated 23.07.2024, co-accused Amritesh Kumar had brutally beaten to the nephew of informant regarding which the present FIR was lodged on dated 26.07.2024. It is admitted fact that land dispute is going on between the parties and there is a counter FIR vide Obra P.S case no.333/2024. It is mentioned at para 3 of the anticipatory bail petition that petitioner is having no criminal antecedent. From perusal of injury report, the nature of injury is found to be simple in nature. After completion of investigation, charge-sheet was submitted under Section 115(2), and 126(2) of BNS against the petitioner only and the other two co-accused persons have not been sent up in the charge-sheet.

Considering the fact that there is no specific allegation against the petitioner, as no role has been attributed towards him in the occurrence alleged to have taken place on dated 23.07.2024, and charge-sheet has been submitted against him under Sections 115(2) and 126(2) of BNS against the petitioner. Hence, the anticipatory bail petition filed on behalf of the petitioner is hereby **allowed**. It is directed to release the above-named petitioner on bail in the event of his 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 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, 2023.

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)