

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

A.B.P. No. 1623/2026

Arising out of Tandwa P.S. Case No. 37/2026

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

Mahendra Rajak, S/o late Rameshwar Rajak, age-57 years, R/o village- Khajuri Tika, P.S.- Tandwa, District- Aurangabad (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

Appearance :

For the Petitioner(s)	:	Miss Mamta Kumari, Adv.
For the State	:	Sri Ajay Kumar, P.P.

16.07.2026

Apprehending his arrest in connection with Tandwa P.S. Case No. 37 of 2026 instituted under Sections 115(2), 117(2), 126(2), 303(2), 74, 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023, 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 brief facts of the case are that on dated 25.03.2026 at about 07:30 a.m., the accused persons had abused and beaten to the informant. It is further alleged that Mahendra Rajak had caused injury over the hand of informant by garasa and tried to commit rape. It is further alleged that Mahendra Rajak had snatched a silver chain and golden earrings 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 F.I.R. has been lodged belatedly. The present case is the counter blast of Tandwa P.S. Case No. 36/2026. It is further submitted that all other sections are bailable in nature except Sections 303(2) and 74 of BNS and the same have been added only to make the case non-bailable. Petitioner is having one criminal antecedent vide Tandwa P.S. Case No. 06/2017 registered u/s 147, 148, 149, 341, 323, 307 of IPC. Earlier the prayer for anticipatory bail of the petitioner had been rejected by this court due to concealment of criminal antecedent vide A.B.P. No. 985/2026 with an observation that the petitioner may renew his prayer for bail subject to deposit a fine of Rs. 5,000/- (Rupees Five Thousand) in the account of District Legal Services Authority, Aurangabad. Petitioner has deposited the aforesaid fine of Rs. 5000/- in the account of DLSA on

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dated 22.06.2026 and the original receipt of the same is attached with the anticipatory bail petition. It is lastly submitted that the co-accused persons have been released on anticipatory bail by this court vide A.B.P. No. 985/2026. It is therefore prayed that the petitioner be released on anticipatory bail.

Learned counsel for the petitioners further submits that the **petitioner is ready to voluntarily deposit Rs. 1,000/- (Rupees One Thousand) in the office of Nazarat, Aurangabad for the purpose of well-being of children residing at Vrihad Ashray Grih Balgrih Unit-I, Babhandi, Aurangabad (Bihar).**

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

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

Earlier, the prayer for anticipatory bail of the petitioner had been rejected by this court due to concealment of criminal antecedent on the part of petitioner with an observation that the petitioner may renew his prayer for bail after mentioning the criminal details subject to deposit a fine of Rs. 5,000/- (Rupees Five Thousand) in the account of District Legal Services Authority. It is mentioned at para-3 of the anticipatory bail petition that the petitioner is having one criminal antecedent vide Tandwa P.S. Case No. 06/2017. Co-accused persons have been released on anticipatory bail vide A.B.P. No. 985/2026.

Considering the aforesaid observation, **the anticipatory bail petition filed on behalf of the petitioner Mahendra Rajak is hereby allowed.** It is directed to release the 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 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.

Since the petitioner is ready to voluntarily deposit Rs. 1,000/- (Rupees One Thousand) **in the office of Nazarat, Aurangabad** for the purpose of well-being of children residing at Vrihad Ashray Grih Balgrih Unit-I, Babhandi, Aurangabad (Bihar). Hence, the petitioner is permitted to deposit the same.

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)