

IN THE COURT OF THE PRINCIPAL DISTRICT & SESSIONS

JUDGE, AURANGABAD

A.B.P No.1636/2026

Arising out of Rafiganj P.S. Case No.217/2026

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

1. Dinesh Sharma @ Dinesh Mistri, age 57, S/o Late Shivnandan Sharma,

2. Balmati Devi, age 52, W/o Dinesh Sharma

Both are r/o Kharokhar, P.S-Rafiganj, Aurangabad, Bihar

... Petitioner(s)

Versus

The State of Bihar

...Opposite Party(s)

Appearance :

For the Petitioner(s)

:

Sri Ram Kumar Adv

For the State

:

Sri Ajay Kumar Ld. P.P

16.07.2026

Apprehending their arrest in connection with Rafiganj P.S. Case No.217/2026 instituted for the offence u/s 115(2), 126(2), 329(4), 118(1), 109, 351(2), 352, 3(5) of Bhartiya 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 the Id. P.P. for the State.

The prosecution case in brief is that on dated 07.06.2026 at about 08:00PM all accused persons including the petitioners had entered into the house of informant and assaulted her and her daughter by lathi and rod in which the informant and her daughter had sustained injury. When the son of informant had come to rescue them then Dinesh Sharma had assaulted him by rod in which he sustained head injury.

Learned counsel for the petitioner has submitted that petitioners are quite innocent and have been falsely implicated in this case. It is further submitted that there is a counter case vide Rafiganj P.S case no.218/2026 lodged against the informant and his persons. There is a land dispute going on between the parties. Petitioners are having no criminal antecedent.. It is therefore prayed that the petitioners be enlarged on anticipatory bail.

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Learned counsel for the petitioner submits that the petitioners are ready to voluntarily deposit Rs.1000/- (Rupees One Thousand) each 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. for the State opposed the prayer for grant of anticipatory bail to the petitioners.

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

There is allegation against the petitioners that they had beaten to the informant and her daughter. It is specifically alleged against the petitioner no.1 that he had caused head injury to the son of informant. There is a counter FIR vide Rafiganj P.S case no.218/2026. There is a land dispute going on between the parties. It is mentioned at para 37 and 38 of the case diary that both sides had exaggerated the facts before the police and both sides had entered into the scuffle and sustained injury. So far as injury details are concerned, the nature of injuries are found to be simple. It is mentioned at para 44 of the case diary that petitioners are having no criminal antecedent.

Considering the aforesaid observations, the anticipatory bail petition filed on behalf of the 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 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.

Since the petitioners are ready to voluntarily deposit Rs.1000/- (Rupees One Thousand) each 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 petitioners are permitted to deposit the same.

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)