

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14802 of 2026

Arising Out of PS. Case No.-745 Year-2025 Thana- AURANGABAD TOWN District-
Aurangabad

Md. Murshid @ Rinku Maleson Son of Md. Muslim R/o Mohalla - Islam
Toli, Ward no. 24, P.S. - Aurangabad Town, Dist. - Aurangabad(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Aurangabad Town P.S. Case No. 745 of 2025 registered for the alleged offence under Sections 115(2), 126(2), 117(2), 191(1) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner and other co-accused persons armed with *lathi*, *danda*, rod and pistol tried to forcibly capture the land of the informant. The informant reached there and raised alarm and the husband of the informant and her other family members came there and resisted the act of the petitioner and his family members. Thereafter, the petitioner opened fire and put down the informant and hit her on her head with butt of pistol, causing its fracture. Other co-accused persons



assaulted the husband and other family members of the informant causing injuries to them.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. During a marriage ceremony in the family, the petitioner has been barricading his land which was opposed by the informant side. There is title suit pending between the parties and the land belongs to the petitioner who acted in his self defence. Moreover, the injury received by the informant is merely abrasion on frontal area and pain with lacerated wound on right hand of size 1½”x 0.25”. This injury was found to be grievous due to fracture of the shaft of the right 5th metacarpal bone. But there is no allegation against the petitioner for causing the grievous injury. Learned counsel further submits that there is counter version and wife of the petitioner has lodged Aurangabad Town P.S. Case No. 752 of 2025 against the family members of the informant. Learned counsel further submits that though the petitioner is having antecedent of 08 cases, he has been acquitted in five cases and is on bail in other cases

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the land



dispute between the parties and also considering the case and counter case of the parties and further considering the simple and superficial nature of injury said to be occurred by this petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad/court concerned in connection with Aurangabad Town P.S. Case No. 745 of 2025, subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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