

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

B.P. No. 256/2026

Arising out of Barun P.S. Case No. 79/2026

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

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1. Sandhya Devi, W/o Chandip Mehta, age-30 years, R/o village- Hetampur, P.S.- Barun, District- Aurangabad (Bihar).
 2. Dwarika Mehta, S/o late Jhauri Mahto, age-60 years, R/o village- Hetampur, P.S.- Barun, District- Aurangabad (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

Appearance :

For the Petitioner(s) : Sri Dilip Kumar Singh-I, Adv.
For the State : Sri Ajay Kumar, P.P.

20.04.2026

The petitioners, who have been undergoing judicial custody since dated 21.02.2026, preferred this application for grant of regular bail in connection with Barun P.S. Case No. 79 of 2026 instituted under Sections 126(2), 115(2), 103(1), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023. A copy of the bail petition has been served upon the ld. P.P. for the State.

An F.I.R. has been lodged by the informant Pradip Kumar wherein he alleged that on dated 15.02.2026, the accused persons including the petitioners had badly assaulted to the father of informant. The informant's father was died during the course of treatment on dated 20.02.2026.

Learned counsel for the petitioners has submitted that petitioners are quite innocent and have been falsely implicated in this case due to land dispute between the parties. No specific allegation has been attributed against the petitioners. It is further submitted that the the incident took place on dated 15.02.2026 but the F.I.R. was registered on dated 20.02.2025 i.e. after the delay of five days. Petitioners are having no criminal antecedent. It is lastly submitted that the petitioners have been languishing under judicial custody since dated 21.02.2026. It is therefore prayed that the petitioners be released on bail.

Per contra, learned P.P. opposed the prayer for grant of bail to the petitioners and submits that due to prior land dispute, the accused persons

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including the petitioners had brutally assaulted to the father of informant named as Nakul Mehta, who died during the course of his treatment on dated 20.02.2026. The investigation is still pending against the petitioners and there is strong apprehension that in case of enlargement on bail, the petitioners will tamper with the evidence and influence the witnesses as such they are not entitled to be enlarged on bail.

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

It is alleged against the accused persons including the petitioners that they had beaten to the father of informant and during course of his treatment, he succumbed to death after five days of the date of incident. In the inquest report, there was injury found over the nose of deceased. During course of investigation, the police have recorded the restatement of informant which is mentioned at para-8 of the case diary. There are statement of Amit Kumar at para at para-9, statement of Arvind Mehta at para-10, statement of Kavita Kumari at para-11, statement of Satyendra Mehta at para-12 and statement of Ashok Mehta at para-13 of the case diary. All the witnesses have supported the prosecution case and stated before the police that the accused persons have injured to the deceased by hand and fists due to land dispute going on between them. Opinion regarding cause of death is not given in the postmortem report as the report of viscera has not come. Petitioners have been languishing under judicial custody since dated 21.02.2026. The present F.I.R. has been lodged u/s 126(2), 115(2), 103(1), 352, 3(5) of BNS and the investigation is still going on.

Considering the fact that petitioners are named accused and there is direct allegation against the petitioners regarding the cause of death to the deceased by injury. **Hence, the bail petition filed on behalf of the petitioners Dwarika Mehta and Sandhya Devi is hereby rejected.**

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)