

IN THE COURT OF SRI DEEPAK KUMAR-I, ADDITIONAL SESSIONS JUDGE- II, BHAGALPUR

Anticipatory Bail Petition No. 1063/2026

(Arising out of **Shahkund P.S. Case No. 100/2026**)

U/s 103 (1), 238, 3 (5) BNS.

1. Babita Devi, age 31 years, W/o Shekhar Yadav

2. Savitri Devi, age 41 years, W/o Vivek Yadav

.....**Petitioners**

Versus

The State of Bihar

.....**Opp. Party**

For the Petitioner/s : Mr. R.K. Tiwary, Ld. Advocate.

For the State : Mr. Abhay Kumar Singh, Ld. A.P.P.

Date of order	Order with signature of the court
1	2
16-06-2026	This is a petition filed on behalf of the above named accused-petitioners for grant of anticipatory bail who apprehension their arrest in connection with Shahkund P.S. Case No. 100/2026 for offences punishable U/s 103 (1), 238, 3 (5) BNS. On behalf of the petitioners a certificate has been given in para-2 of the bail petition that earlier no anticipatory or regular bail petition has been filed on their behalf either before the Court of the Ld. Principal Sessions Judge, Bhagalpur or before the Hon'ble High Court, Patna. In para-3 of bail petition, accused-petitioners have given certificate that they have no criminal antecedents. Prosecution case, as per Fardbeyan of informant Nepali Maharana, in brief, is that on 23.04.2026 at about 13:20 hours he has given statement before the police that the marriage of his daughter Kiran Devi has solemnised with Janardan Yadav twelve years ago. There are two children of Kiran Devi and her husband died due to disease three years ago. After death of her husband, the in-laws of his daughter always told to land partition. But his daughter Kiran Devi was harassed by them for this very thing by abusing, beating and torturing her and was repeatedly threatened to leave the house and was told not to give any share in the land. His daughter informed him about the same. Thereafter, he went at the house of his daughter and tried to pacify the matter but they have not ready to it. On 23.04.2026 at about 08:0 a.m. in information was came on the mobile number of his son Ajit Kumar from Sarha village that his daughter has been killed by her in-laws named in FIR by means of lathi-danda and Dabia and disappeared the dead body of Kiran Devi. On information, police started searching the dead body of deceased and during searching police has found the dead body of deceased Kiran Devi which was in blooded condition from maize field away from one Kilometer of Sarha village. No member of the in-laws' family was present at home, all had fled away. Vivek Yadav's wife, whose name is unknown, also conspired to murder his daughter. Hence, this FIR is lodged. The learned counsel for the petitioners submitted that the petitioners are innocent and have committed no offence and they have falsely been implicated in this case. It has further been submitted that the entire family members have been falsely implicated in the present case with ulterior motive and for wrongful gain and there is no eye witness of the alleged occurrence and the body of deceased was found in Bahiyar for from one Kilometer from the vigilance/house of the accused persons and no any weapon has

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been recovered/seized from the house of the accused persons and there is nothing against the accused-petitioners regarding their involvement in the present occurrence. On such basis, it has been prayed that the petitioners be enlarged on anticipatory bail.

On the other hand, learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners.

Heard both the parties.

Perused the case record as well as case diary and on perusal the same it transpires that there is direct allegation against these accused-petitioners that they alongwith other co-accused persons have killed the daughter of informant by means of lathi, danda and Dabiya due to land partition dispute and thrown the dead body of deceased in maize field and during the course of searching, police has recovered the dead body of deceased from maize field in blooded condition. On perusal of the Inquest report reveals that the deceased died due to severe assault by means of sharp weapon by the in-laws of deceased. Para-7, 8, 9 and 10 are place of incident. Para-11 of the case diary is the restatement of informant who reiterated the prosecution case. Para-12 and 13 of the case diary are the statements of witnesses who have also supported the prosecution case. Para-15 of the case diary reveals that blooded lathi has been recovered from the Baasa of accused-petitioners. Para-17 of the case diary is the CCTV Footage reveals that 5-7 persons were assaulted the deceased by means of lathi by which she fell down on land and became died. Para-38 and 39 of the case diary are the statements of Rahul Kumar Yadav and Niranjan Kumar Yadav who stated that these accused-petitioners alongwith other co-accused persons have killed the deceased by means of assaulting her badly and at that time they were also present there. Para-52 of the case diary is the statement U/s 183 BNSS of Divyanshu Kumar (son of deceased), age 8 years who stated that when he and his mother were going to hospital for treatment then his grand-father and grand-mother and other co-accused persons have surrounded his mother and assaulted her mother badly due to which his mother died. Further, investigation against these accused-petitioner are still pending.

Keeping in view the nature of the offence, complicity & conduct of the accused petitioners, severity of punishment and submissions of the learned counsel for the parties, the allegations against the petitioners are serious in nature. So, I am of the view that applicants/petitioners do not deserve for anticipatory bail. Accordingly, their prayer for anticipatory bail is hereby **Rejected**.

Sd/-

Additional Sessions Judge-II
Bhagalpur

Date of Judgment/Order	16.06.2026
Date of Reserving Judgment/Order	N/A
Uploading Date	20.06.2026
Uploaded By	Rohit Kumar, Steno

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