

In The Court of Sessions Judge, Buxar

A.B.P. No. 289 of 2026

(Arising out of Buxar Town P.S. Case No. 179/2024)

Neha Pandey, aged about 48 years, S/o Dwarika Pandey,

R/o Village- Opposite D.A.V. School, Yes Complex, Station Road, Buxar, Police

Station- Buxar Town, District- Buxar Petitioner

Versus

State of Bihar Respondent

Appearance:

Learned Public Prosecutor for the State: Sri Kedar Nath Tiwari.

Learned Counsel for the Petitioner: Sri Ramanand Mishra, Ld. Adv.

Learned Counsel for the informant: Sri Umesh Kumar Singh, Ld. Adv.

Present: Kajal Jhamb
Sessions Judge, Buxar

Date of Order: 19th March, 2026

Anticipatory Bail Petition filed on behalf of petitioner named above, who is apprehending her arrest in connection with **Buxar Town P.S. Case No. 179/2024**, registered u/s 302/34 of the I.P.C. is put up and moved today.

Copy of bail petition has already been served to the Ld. P.P. for the prosecution.

Learned Counsel for the petitioner certify that no other bail petition has ever been filed on behalf of the petitioner in this matter either before this Court or before any Superior Court. Petitioner has got no criminal antecedent. Prosecution has no objection to the submissions.

The Counsel for the petitioner further submits that the petitioner is quite innocent and has been falsely implicated in the present case. The petitioner has done nothing to attract provisions of sections in which F.I.R has been lodged. Mithilesh Pandey, brother-in-law/devar of this petitioner informed the police about the occurrence. Police came and took away the injured Mahesh Kumar and accused Dwarika Pandey. Thereafter, the family of deceased was informed by Dhansoi Police Station. After investigation police submitted final form against the petitioner but the learned C.J.M, Buxar took cognizance of offence against the petitioner as well. The petitioner is an illiterate house wife and has no concern with the occurrence in any way. There is no specific allegation against the petitioner. After investigation, police submitted charge sheet only against co-accused Dwarika Pandey and rest of the accused including the petitioner are not sent up for trial.

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But, the learned C.J.M, Buxar took cognizance of the offence u/s 302, 201 of I.P.C. even against the petitioner and other co-accused. The petitioner is a woman and there is no possibility of her absconding. The petitioner undertakes to abide by all the terms and conditions of this Court. Therefore, petitioner deserves to be enlarged on anticipatory bail and died.

Learned P.P. for the State vehemently opposes the Bail Petition on the ground of nature and gravity of the offence. He submits that there is allegation that co-accused Dwarika Pandey along with his wife/petitioner and other co-accused persons called deceased Mahesh Kumar under conspiracy and assaulted him with iron rod due to which Mahesh Kumar succumbed in to injury. Considering the gravity of the offence, petitioner does not deserves bail.

Learned Counsel for informant submits that the occurrence took place in the house of this petitioner where she along with her husband/co-accused Dwarika Pandey and other family members were present. The petitioner's husband had taken money from the deceased and when he demanded his money back, this petitioner, her husband/co-accused Dwarika Pandey and her brother-in-law Mithilesh Pandey brutally assaulted him due to which he died. They also washed the house and the weapon (iron rod) used in the commission of crime to destroy the evidence to screen themselves. Since, informant had apprehension that police might screen the petitioners, he filed a protest petition before the learned Court.

Prosecution case in brief according to written petition of **informant Deepak Kumar** is that, he received a call from his brother (deceased) on 26.03.2024 at 03:51 P.M. informing him about his arrival in Buxar and his inability to have a transport to the village. It is alleged that when informant came to Buxar to take him, the accused Dwarika Pandey and Mithilesh Kumar Pandey intervened and said that as they have planned a party with him Mahesh Kumar (deceased) would come to village the next day. The informant returned back home. At about 12 midnight informant received information that a son of the family is dead. When he reached Buxar, he saw the dead body of his brother in Maa Shivratri Hospital, Ahirauli, Buxar. Dwarika Pandey was in police custody. It is alleged that both Dwarika Pandey and Mithilesh Pandey had taken 1.5 – 2 lakh from the deceased under pretext of getting him job of Computer Operator in the school. In order to grab that money, informant's brother Mahesh Kumar was killed under conspiracy by Dwarika Pandey, Mithilesh Kumar Pandey, Neha Pandey/petitioner and wife of Mithilesh Kumar Pandey by taking him to their home.

Heard learned Counsels of both sides and perused the main case diary written upto para 94 and supplementary case diary written upto para 22. The petitioner is named in F.I.R. There is allegation against the petitioner that she along with her husband/co-accused Dwarika Pandey, who has confessed his complicity in the crime and others have committed the murder of informant's brother Mahesh Kumar. Perusal of case record shows that the Learned C.J.M. Buxar has found prima-facie case u/s 302, 201 of I.P.C and summoned the petitioner and other co-accused on 05.03.2025. Since then the record is pending for appearance of this petitioner and other co-accused persons. The case record

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also shows that the anticipatory bail of co-accused Priya Pandey carrying similar allegation has already been rejected by this Court in A.B.P. No. 443/2024, dated 24.05.2024.

Thus considering the submissions of both sides, fact and circumstances of the case and gravity of the offence alleged, I am not inclined to enlarge the petitioner **Neha Pandey** on antiicipatory bail. Accordingly, present anticipatory bail petition is hereby **rejected**.

Dictated
Sd/- Kajal Jhamb
Sessions Judge, Buxar
19.03.2026

Date of Order	19.03.2026
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