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Court of Sessions Judge, Darbhanga.

Present:- Shri Shiv Gopal Mishra, Sessions Judge, Darbhanga.

A.B.P. No. 403/2026 (Bhola Das & Ors. Vs. State of Bihar)

In the Court of Sessions Judge, Darbhanga, Darbhanga.

A.B.P.No. 403 of 2026

In the matter of:-

1. Bhola Das son of late Laxmi Das
2. Usha Devi wife of Bhola Das
3. Gulab Das son of Bhola Das
4. Ajay Das son of Bhola Das
5. Poonam Devi wife of Ajay Das
6. Sunita Kumari daughter of Bhola Das ----- --Petitioners.

Vrs.

The State of Bihar. -----Opposite Party.

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For the Petitioners : Shri Ram Naresh Yadav, Ld. Advocate..
For the O.P.(State) : Shri Amrendra Narayan Jha, Ld. P. P.
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ORDER.

02. 09.03.2026. Heard learned counsel for the petitioners as well as learned P.P. for the State on anticipatory bail filed on behalf of above named petitioners, who are apprehending their arrest in connection with Complaint Case No. 1125 of 2016 for offences U/S 323, 406 and 498A of the I.P.C. and Section 3 & 4 of the Dowry Prohibition Act.

Heard learned counsel for the petitioners as well as learned P.P. for the State and perused the case record.

As per complaint petition, the prosecution case, in brief, is that the marriage of the complainant was solemnized with accused Kanhaiya Das on 09.06.2014 as per Hindu Customs and Rites. It is further alleged that after marriage of the complainant, went to her matrimonial house with some gifted items but the family members of the complainant's husband were not happy with the said gift. It is further alleged that complainant husband along with his family members started demanding cash of Rs. 1,00,000/- and one motorcycle upon non-fulfillment of the demand, petitioner along with other co-accused started assaulting and giving mental and physical torture to the complainant. It is further alleged that

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complainant's husband also solemnized second marriage with Phulo Devi. It is further alleged that on 15.06.2016 complainant's husband along with his family members assaulted the complainant and ousted her after snatching her entire belongings.

Learned counsel for the petitioners submitted that petitioners are quite innocent and have been falsely implicated in the case. He further submitted that the entire allegation leveled against the petitioners are false and concocted. It has further submitted that there is no specific allegation of assault or torture against the accused petitioners. He further submitted that the petitioner no.1 is father-in-law, petitioner no.2 is mother-in-law, petitioner no. 3 is petitioner no.3 is Dewar, petitioner no.4 is Bhainsur, petitioner no.5 is Diyadin and petitioner no.6 is Nanad of the complainant and they have no concern from the affairs of complainant or her husband and the petitioners are separate in mess and business from the complainant and her husband. He further submitted that the petitioners have no any criminal antecedents. Hence, prayer for grant of anticipatory bail to the petitioners.

On the other hand, learned P. P. opposed the prayer for bail.

From the perusal of FIR it appears that the complainant's husband along with his family members demanded dowry from the complainant and on non fulfillment of the same they abused, assaulted and tortured her in various ways. It appears that the petitioner no.1 is father-in-law, petitioner no.2 is mother-in-law, petitioner no. 3 is petitioner no.3 is Dewar, petitioner no.4 is Bhainsur, petitioner no.5 is Diyadin and petitioner no.6 is Nanad of the complainant and it is stated by the accused petitioners that have no concern with the affairs of complainant or her husband and the petitioners are separate in mess and business from the complainant and her husband. The marriage of complainant was solemnized with accused

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Kanhaiya Das in the year 2014. No specific allegation is alleged against these accused petitioners.

Considering the above facts and circumstances of the case discussed above the instant petition for anticipatory bail of Petitioner is **allowed** and it is ordered that in the event of arrest or surrender before the court below within a period of fortnight from the receipt of this order, the petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below subject to the condition under the provision of section 438(2) of the Cr.P.C.

(Dictated)

(Shiv Gopal Mishra)
Sessions Judge,
Darbhanga.
09.03.2026.