

In the Court of Sessions Judge, Darbhanga.**A.B.P. No. 847/2026**

1.Raj Kumar Mahto, son of Buni Mahto

2. Babita Devi, wife of Raj Kumar Mahto

All R/o Village- Dekuli Chatty, PS- Sonki , District-Darbhangha

.....Petitioners.

Versus

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

For the petitioners: Shri Sanjay Kumar Lal ,Learned Advocate.

For the O.P.(State): Shri. A.N. Jha, Learned Public Prosecutor.

ORDER

18.06-2026: Application for anticipatory bail has been filed on behalf of the petitioners namely **1. Raj Kumar Mahto, and 2. Babita Devi** who are apprehending their arrest in connection with Mahila P.S. Case No. 63/2026 for the offences U/ss. 85, 126(2), 115 (2), 118 (1), 351 (2), 352, 3 (5) of the BNS, pressed today.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor for the State.

3. The allegation is that the informant was married with accused Sanjay Kumar Mahto on 01.05.2025 as per Hindu rites and ritual. After marriage informant went to her matrimonial house where all the accused used to demand cash of Rs. 1,00,000/- as dowry and on refusal by the informant they abused, assaulted and tortured her in various ways. They also stopped her food and on 02.05.2026 all accused persons abused, assaulted her and tried to kill her. The informant gave information to her parent on 03.05.2026 through mobile, upon which they came there and tried to pacify the matter, but accused persons also assaulted family members of the informant and they ousted the complainant from her matrimonial house after retaining her all belongings. The informant brought to the DMCH for treatment, resulting into the institution of the present case.

4. It is submitted on behalf of the petitioners that the petitioners are quite innocent and have committed no offence and have falsely been implicated in the present case on mere confusion. Further submission is that the petitioners are in-laws and during investigation police extended benefit of section 35(3) of the BNS and they have never misused the privilege granted to them. The

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further submission is that as a matter of fact these petitioners reside separately than the husband of the informant and they have nothing to do with the entire dispute between them. Hence, the petitioners may be granted the privilege of anticipatory bail.

5. On the other hand, the learned Public Prosecutor opposes the prayer for anticipatory bail.

6. Heard and perused the case diary. Para No. 2 of the case diary reflects the re-statement of the informant supporting the occurrence. Para No. 4, 5, 6 of the case diary reflects statement of the witnesses supporting the prosecution case. Para no. 13 of the case diary reflects description of place of occurrence, which appears situated in village Dekulichatti. Para no. 28 of the case diary reflects clean antecedent of accused petitioners. The petitioners are in-laws of the informant. During investigation police extended benefit of section 35(3) of the BNS to the petitioners.

7. Under the facts and circumstances of the present case, submission advanced on behalf of both the parties, the material on record where the petitioners are in-laws of the informant, the prayer for anticipatory bail of the petitioners stands **allowed**. Accordingly, in the event of their arrest or surrender before the learned court below within four weeks from the date of receipt of this order, let the petitioners namely **1. Raj Kumar Mahto, and 2. Babita Devi** be released on bail on furnishing bail bond of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount to the satisfaction of the learned Court of S.D.J.M., Darbhanga subject to conditions as laid down u/s 482(2) of the Bharatiya Nagrik Suraksha Sanhita.

Dictated

(Ajay Kumar Sharma)
Sessions Judge, Darbhanga.
18-06-2026.