

In the Court of District & Addl. Sessions Judge-I, Benipur , Darbhanga.

Present

**Sri Rishi Gupata
District & Addl. Sessions Judge-I, Benipur**

Darbhangha, dated, the 13th April 2026

Anticipatory Bail Petition no. 17 of 2026

Dinesh Sah & Ors.

.....Petitioners.

Versus

The State of Bihar

.....Opposite Party

Counsel for the petitioner :- Sri Ravi Shankar Kumar, Ld. Advocate

Counsel for the State :- Smt. Punam Jha, Ld. APP

ORDER

13.04.2026 The present anticipatory bail petition has been filed on behalf of petitioners namely 1.Dinesh Sah, S/o Late Mahindra Sah, 2.Samundri Devi, W/o Dinesh Sah, 3.Kanchan Devi, W/o Kumar Sah all resident of Village Barki Tarauni, P.S. Bahera, Dis Darbhanga who are apprehending their arrest in connection with Bahera P.S Case No. 476/2025, for offence u/s 126(2), 115(2), 118(1), 76, 303(2), 351(2), 352, 3(5) of BNS, which is pending in the Court of Ld. ACJM, Benipur, Darbhanga.

Heard Sri Ravi Shankar Kumar the Ld. Counsel for the petitioner and Smt. Punam Jha, Ld. A.P.P. on behalf of the State.

The Prosecution story in brief is that on the alleged date and time of the occurrence, all accused persons (total-5) together entered in the courtyard of the informant Manju Devi and started to abuse her. That when she objected the same, accused Dinesh Sah ordered to beat the informant and to theft in her house. That all accused persons pulled the informant from her hair and put her down on the ground. That all accused persons beat her with fists and kicks and snatched her gold mangal sutra. That accused Samudari Devi took briefcase carrying clothes and cash worth Rs. 10000/-. That when neighbour Laltun Sah intervain, accused persons also beat him.

The Ld. Counsel for the petitioners submits that, the petitioners have not committed any offence and they are quite innocent. The petitioner have falsely been implicated in this false case due to local village politics and previous enmity of land dispute. That the petitioners have no criminal antecedents. That all the sections areailable except section 76 of BNS which is not attracting against the petitioners. That no such occurrence did ever took

place as alleged in FIR. That the petitioners are men and woman of means and no chance of their absconding or tempering with Pws if enlarged on bail. Hence it is prayed that your honour be pleased to grant anticipatory bail to the petitioners.

On the other hand Ld. APP appearing for the State opposed the prayer for bail of the petitioner.

Heard, Submissions of both parties and perused the record. From perusal of the case records, it can be seen that this case has been filed u/s 126(2), 115(2), 118(1), 76, 303(2), 351(2), 352, 3(5) of BNS. That all the allegations made are omnibus in nature. That despite of passing that much long time, the police did not produce diary before this court to ascertain if compliance u/s 35(3) BNSS was complied with or not. So in the light of these facts and circumstances and with discussions made hereinbefore, this Court finds it proper to **allow** the anticipatory bail petition of this petitioners namely 1.Dinesh Sah, S/o Late Mahindra Sah, 2.Samundri Devi, W/o Dinesh Sah, 3.Kanchan Devi, W/o Kumar Sah. That in case of arrest or surrender within a period of three weeks of receipt of this order by the concerned court, the accused petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(Rs. Ten Thousands/-) with two sureties of like amount each to the satisfaction of the court below.

(Dictated and Corrected)

(Sri Rishi Gupta)
District & Addl. Sessions Judge-I
Benipur
13.04.2026

Date of Order	13.04.2026
Date of Reserving Order	13.04.2026
Uploading Date	16.04.2026
Uploaded by	Sujit Kumar (Bench Clerk)