

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

Present

Sri Rishi Gupata
I/C District & Addl. Sessions Judge-II, Benipur

Darbhangha, dated, the 20th April 2026

Anticipatory Bail Petition no. 52 of 2026

Jai Prakash Jha

.....Petitioner.

Versus

The State of Bihar

.....Opposite Party

Counsel for the petitioner :- Sri Roshan Mishra, Ld. Advocate

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

ORDER

20.04.2026 The present anticipatory bail petition has been filed on behalf of petitioner namely Jai Prakash Jha, S/o Late Hemkant Jha, Vill Shivram, PS Bahera, Dist. Darbhanga who is apprehending his arrest in connection with Bahera P.S Case No. 101/2026, for offence u/s 126(2), 115(2), 140(2), 3(5) of BNS, which is pending in the Court of Ld. ACJM, Benipur, Darbhanga.

Heard Sri Roshan Mishra the Ld. Counsel for the petitioner and Smt. Punam Jha, Ld. A.P.P. on behalf of the State.

The Prosecution story as stated by informant Ayushi Jha @ Abhilasha Kumari in brief is that, when on 04.02.2026, informant with her husband Deepak Jha, was returning to their home from police station, accused persons Jay Prakash Jha, Prabhat Bhardwaj and Sunil Kumar along with 14 unknown persons were already there. That accused persons stopped the vehicle of informant by showing pistol. That accused Jay Prakash Jha hit on head of informant's husband with the back of the pistol and injured him. That when he felt down, all accused persons beat him. That accused Prabhash Jha kidnapped informant's daughter. That after this, the informant reached at the police station and lodged this case.

The Ld. Counsel for the petitioner submits that, the petitioner has not committed any offence and he is quite innocent. The petitioner has falsely been implicated in this false case. That the petitioner accused in Bahera PS Case No. 99/2026 except this case no any criminal history against this petitioner. That no such occurrence did ever took place as alleged in FIR and entire prosecution version is full of concoction and farbrication against this petitioner. That earlier Petitioner's mother registered Bahera PS case No. 97/2026 against informant and her husband who is victim in this case for trespass and criminal assault with petitioner. That informant filed counter counter blast case in Bahera PS Case No. 99/2026 against

petitioner for alleging physical assault and snatched gold and money. That from perusal of FIR it is evident that tempered with application of this case to put ingredients in this application to make this case serious. That above said victim not went for any treatment and several videos make by local people of village that police recover him without any accused which show he was again goes to petitioner's house for physical assault and commission of crime. That the petitioner is man 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 petitioner.

On the other hand Ld. APP appearing for the State opposed the prayer of 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), 140(2), 3(5) of BNS. That during the course of hearing a bail petition, the informant appeared before court and submitted that they filed this case under misconception and she will not give evidence against accused persons even during the trial. That when it is clear that the informant will not give any evidence against accused petitioner, this court not finds it proper to let the sword of arrest hanging on the petitioner and accordingly this Court finds it proper to allow the anticipatory bail petition of this petitioner namely **Jai Prakash Jha, S/o Late Hemkant Jha**, Vill Shivram, PS Bahera, Dist. Darbhanga. That in case of arrest or surrender within a period of three weeks of receipt of this order by the concerned court, the accused petitioner is 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)

I/C District & Addl. Sessions Judge-II
Benipur
20.04.2026

Date of Order	20.04.2026
Date of Reserving Order	20.04.2026
Uploading Date	23.04.2026
Uploaded by	Aman Raj (Add. Clerk)

Memo No...109...../2026, Dated. 23-04-26 Office of I/C District & Addl. Sessions Judge-II, Benipur,
Copy of order forwarded to Ld. ACJM, Benipur, Darbhanga in connection with Bahera P.S
Case No. 101/2026, for information and needful.


(Sri Rishi Gupta)

I/C District & Addt. Sessions Judge-II
Benipur

