

**In the Court of Sri Rishi Gupta, Dist. & Addl. Sessions Judge-I, Benipur,
Darbhanga.**

Present

**Rishi Gupta
Dist. & Addl. Sessions Judge- I, Benipur
Benipur, dated, the 20th July, 2026
Anticipatory Bail Petition no. 85 of 2026**

Saroj Kumar Jha

.....**Petitioner.**

Versus

The State of Bihar

.....**Opposite Party.**

Counsel for the petitioner :- Sri Amar Narayan Choudhary, Ld. Advocate.

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

Counsel for the Informant:- Sri Nawaz Ahmad, Ld. Advocate.

ORDER

20.07.2026 The present application for anticipatory bail has been filed on behalf of petitioner namely Saroj Kumar Jha, age about 38 years, S/o Shri Chandrawali Jha, Vill Navanagar, PS Alinagar, Dist. Darbhanga, who is apprehending his arrest in connection with Bahera P.S. Case No. 523/2025, for offences u/s 126(2), 85, 351(2), 352, 3(5) of BNS & ¾ of D.P. Act and which is pending in the Court of ACJM, Benipur, Darbhanga.

Heard Sri Amar Narayan Choudhary, the Ld. Counsel for the petitioner and Smt. Punam Jha, Ld. A.P.P. on behalf of the State.

The prosecution case in brief is that on dated 30.01.2020 informant got married as per Hindu rites with accused Saroj Kumar Jha. That at the time of marriage, informant's parents gave gift as per their capacity. That accused persons were not happy from the those gifts. It is further alleged that accused persons demanded a four wheeler vehicle as a dowry and upon non fulfillment of the same they abused, assaulted and tortured her in various ways. They also stopped her food. In the meantime, informant became pregnant, but accused persons aborted her pregnancy. It is further alleged that accused Praveen Kumar Jha with the help of his wife tried to physically abuse her. It is alleged that due to regular tortur of accused persons informant left her matrimonial house and living in her Maika.

The Counsel for the petitioner has submitted that the petitioner is filed for grant of anticipatory bail to the petitioner is filed for grant of anticipatory bail to the petitioner above named who have reasonable apprehension of being arrested by the police Bahera on an

accusation of non-bailable offence u/s 85 BNS and $\frac{3}{4}$ D.P. Act. That prior to this, no any petition for grant of bail either regular or anticipatory on behalf of the petitioner ever filed either in this Id. Court or before the Hon'ble High Court, Patna nor any such petition is pending in any court. That there is no any criminal antecedent against the petitioner. That the petitioner is quite innocent and has not committed any offence as alleged by the informant in the written report. That the petitioner who is husband of the informant has falsely been implicated in this case out of malice, ill will and wrongful intention and as a matter of fact, no such occurrence as alleged by the informant did take place and with intent to cause harm and tarnish the image and reputation of the petitioner and his family members the informant has lodged this false, frivolous, baseless and unfounded case against the petitioner and his family members are relatives. That there is a great delay in lodging the case which cuts away the root of the prosecution case as alleged date of occurrence is 17.08.2025 whereas the written report was lodged on 24.12.2025 i.e. inordinate delay of more than four months. That the petitioner is ready to keep the informant as an ideal wife but the informant left relationship with her husband and matrimonial home. That it is submitted that the marriage of the informant was ideal and no demand of dowry was ever made by the petitioner or by any member of his family. That from perusal of the written report it would appear that there is no specific allegation of demand of dowry levelled against the petitioner. That the petitioner is a local man and comes from a respectable family and there is no chance of his absconding or tampering with the prosecution evidence if released on bail by Ld. Court. That all the rest accused persons have already been granted bail by Ld. Court vide ABP No. 3/26 dated 11.02.2026. That the petitioner shall abide with the condition laid down u/s 482(2) BNSS and those to be imposed by the Ld. Court below. That the person of sufficient means are ready to stand bailors for the petitioner. That the petitioner is ready to furnish bail bond to the full satisfaction of the Ld. Court below. Hence, petitioner request before Court to grant his bail. And for that this petitioner shall ever pray.

On the other hand Ld. APP appearing for the State and Ld. Counsel for the informant have opposed the prayer for bail and submitted that the offence is grave in nature hence the anticipatory bail petition of the petitioner may be rejected.

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), 85, 351(2), 352, 3(5) of BNS & $\frac{3}{4}$ of D.P. Act. That punishment for aforesaid sections is maximum upto 07 years. The counsel of petitioner submitted that there is delay in filing FIR of more than 04 months from the alleged dated of occurrence. That there is nothing on the record to construe physical violence or injury

caused as alleged. That the informant itself admitted that she left her matrimonial house in 2022 itself. That despite of passing so many months, the police did not comply provision of Section 35(3) of BNSS due to which there is apprehension of arrest of petitioner. That there is no criminal antecedent of the petitioner. So in the light of these facts and circumstances and considering the facts that there is no criminal antecedent of the petitioner, this Court finds it proper to **allow** the anticipatory bail petition of this petitioner namely **Saroj Kumar Jha**, age about 38 years, S/o Shri Chandrawali Jha, Vill Navanagar, PS Alinagar, 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. Further with the condition that accused petitioner shall remain physically present before the Ld. Trial court on each and every date and if the petitioner remained absent for two consecutive dates without any plausible reason, the Ld. Trial Court shall cancel his bail.

(Dictated and Corrected)

(Rishi Gupta)
Addl. Sessions Judge I,
Benipur
20.07.2026.

Date of Order	20.07.2026
Date of Reserving Order	20.07.2026
Uploading Date	21.07.2026
Uploaded by	Lav Kumar, Court Reader cum D.W.