

Court of District and Addl. Sessions Judge, Biraul(Darbhanga)

Present:- Sri Shiv Kumar,

Dist.&Addl. Sess. Judge, Biraul.

ABP No. 371/2025(Sita Devi vs. State of Bihar)

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In the Court of District and Addl. Sessions Judge, Biraul, Darbhanga

ABP No. 371 of 2025

In the matter of :-

1. Sita Devi, Wife of Binod Mahto

.....Petitioners.

Vs.

2. The State of BiharOpposite Party.

For the petitioner:- Sri Uttam Chaupal, Ld. Advocate.

For the O.P.(State):- Sri Bachha Rai, Ld. APP.

Order

27.05.2026 The present anticipatory bail petition has been filed on behalf of abovenamed petitioner who is apprehending his arrest in connection with Biraul PS case No. 353 of 2025, for the offences U/Ss 420, 467, 468, 504, 506, 34 of IPC, which is pending in the Court of ACJM, Biraul, Darbhanga.

Heard Sri Uttam Chaupal the Ld. Counsel for the petitioners and Sri Bachcha Rai Ld. Counsel for State.

The FIR in the present case has been lodged on the basis of application of informant namely Ramesh Chandra Jha. The case of the prosecution in brief is that the original land sale deed (kewala) dt. 17.05.1974 was executed by Badri Narayan Jha in favour of Ramesh Chandra Jha. The total area of this land is 1 Katha 8 Dhur, bearing old Khata No. 164, New Khata No. 1076, Old Khesra No. 671, New Khesra No. 3079/6256. Boundaries of that land was North- Badri Narayan Jha, South- Badri Narayan Jha, East- Niyaz Ahamd, West- Pakki Road. Informant had mutated this land in his wife's name on 06.06.2000 in Mauza- Afzala, Thana No. 294 Anchal- Biraul, District- Darbhanga. Accused persons named in the FIR including this petitioner in

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collusion with land mafia Raj Kapoor Sharma, and several unknown accomplices, formed a common intention and conspiracy to cause illegal financial harm to informant and with intention of wrongfully benefiting themselves, they created the aforementioned fake and fabricated sale deeds(kewalas) covering portion of informant's land. Based on these fraudulent documents, they are attempting to register the land at the Registry Office in Biraul to grab my private property. When informant opposed this, the opposite parties hurled caste based abuses and slurs at informant, threatened him like professional land mafias, and declare, " We will capture this land by force." The grabeed informant's neck and suraj Mahto took out some important documents and Rs. 1100 from informant's pocket. They assaulted informant with hands and fists.

Ld. Counsel for the petitioner submits that the petitioner is quite innocent and they have not committed any offence. The petitioner has falsely been implicated in this false case due to grave enmity and land dispute. Entire prosecution story is false concocted and baseless. All the alleged offences are bailable save except the offence u/s 420 and 468 of IPC. The alleged sections of FIR is not made out against the petitioner. As a matter of fact due to land dispute informant filed eviction suit No. 300 of 2023 which is pending in Sub Judge I, Biraul u/s 126, 113(ii) BNS vide MR No. 129 of 2025. The petitioner obtained the land through Kebala and is utilizing it peacefully. The petitioner is lady. The petitioner does not have any criminal antecedents. The petitioner is ready to abide by all the conditions as imposed by the Court. Therefore the present petition may be allowed.

On the other hand, Ld. Addl. P.P appearing on behalf of the State opposed the prayer for bail.

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Upon considering the rival submissions and on perusal of the materials available on record this court finds that para 4 of the case diary mentions restatement of informant who reiterated the same version as alleged in the FIR and mentioned about the involvement of petitioner. Para 12, 13, 14 of the case diary mentions statement of witnesses who too have supported the prosecution case. The investigation in this case is still going on and iota of evidence is yet to come. Therefore considering the discussions made above, nature of allegation as well as other facts and circumstances of the case this Court does not feel inclined to grant anticipatory bail to the petitioner. Accordingly the prayer for anticipatory bail of the above-named petitioner is hereby **rejected**.

(Dictated)

(Shiv Kumar)

Addl. Sessions Judge, Biraoul

27.05.2026