

In the Court of Sessions Judge, East Champaran at Motihari.

Present:-

**Abhishek K. Das,
Sessions Judge,
East Champaran at Motihari**

Anticipatory Bail Petition No.1376 of 2026

1. **Sudish Prasad, S/o- Late Ramdeo Prasad, aged about 42 years**
 2. **Rupesh Prasad, S/o- Late Ramdeo Prasad, aged about 38 years**
 3. **Savita Devi, W/o- Sudhish Prasad, aged about 40 years**
 4. **Nitu Kumari, W/o- Rupesh Prasad, aged about 35 years**
 5. **Shiv Kumari Devi, W/o- Late Ramdeo Prasad, aged about 62 years**
 6. **Sanjana Kumari, D/o- Sudish Prasad, aged about 24 years**
 7. **Ranjana Kumari, D/o- Sudish Prasad, aged about 22 years**
- All resident of village- Mankarariya, P.S.- Paharpur, District- East Champaran.

----- **Petitioners**

Versus

The State of Bihar

----- **Opposite party.**

Counsel for the Petitioners
Counsel for the State

:- Sri Sujit Kumar, Advocate.
:- Sri Khublal Prasad, Public Prosecutor

02-04-2026

This anticipatory bail petition is filed on behalf of the above-named petitioners-accused, namely, (1) Sudish Prasad, (2) Rupesh Prasad, (3) Savita Devi, (4) Nitu Kumari, (5) Shiv Kumari Devi, (6) Sanjana Kumari and (7) Ranjana Kumari, who are apprehending their arrest in connection with Paharpur P.S. Case No.557 of 2024 u/s 498-A, 302, 406, 323 and 120(B)/34 of the I.P.C.

The prosecution case based on complaint petition, in brief, is that informant Kusum Devi was married with Pramod Kumar on 15-06-2010. After marriage, all these petitioners started committing physical and mental cruelty with the informant. Petitioners Sudish Prasad and Rupesh Prasad wanted to do something wrong the informant and it was also opposed by her husband. To grab the share of informant's husband, on 24-05-2024 accused persons mixed poison in the meal of informant's husband, consequently after taking meal, the informant's husband died. Thereafter, accused persons disposed the dead-body of informant's husband in haste and when informant tried to file case, they locked her in house and did not permit her to go outside.

In para-2 of this anticipatory bail petition, it is mentioned that no other regular or anticipatory bail petition has ever been filed in this case either in this Court or before the Hon'ble High Court, Patna. In para-3 of the anticipatory bail petition, it is mentioned that petitioner Sudish Prasad has one criminal antecedent vide Paharpur P.S. Case No.380 of 2020 and there is no criminal antecedent against rest petitioners.

The learned counsel for the petitioners-accused has submitted that the petitioners-accused are innocent and they have committed no offence and they have falsely been implicated in this case dirty village politics and share dispute. It is further submitted that informant had illicit relation with one Mantu Kumar and due to this reason, the informant's husband committed suicide. There is general and vague allegation against the petitioners and only with a view to put pressure, the informant has filed this false case. There is inordinate delay of more than six months in lodging the F.I.R. The petitioners are living separately since long and have no connection with the deceased and his family since then. This is an afterthought to frame the petitioners to extort money from them.

The learned Public Prosecutor appearing on behalf of the State has opposed the prayer for anticipatory bail of the petitioners-accused on the basis of materials available in the case diary.

Heard both sides and perused certified copy of F.I.R. as well as case diary. As per F.I.R., there is allegation that the petitioners have committed murder of informant's husband by administering him poison. There is inordinate delay of more than six months in lodging the F.I.R. The witnesses vide para-4, 5, 6 and 7 of the case diary have corroborated the version of F.I.R. The independent witnesses vide para-16, 17, 18, 19, 21 and 22 of the case diary have stated that informant had illicit relation with one Mantu Kumar and due to said act of informant, her husband has committed suicide. As per para-32 of the case diary and para-3 of the anticipatory bail petition, petitioner No.1 has one criminal antecedent and there is no criminal antecedent against rest petitioners. As per copy of ration card produced by the petitioners, they were living separately from

the deceased and his family. The informant married the deceased long back in the year 2010. There is no mentioned of any case of cruelty etc., which makes the allegation of cruelty doubtful.

Considering all these facts, as discussed above, I am inclined to give privilege of pre-arrest bail to the petitioners-accused. Accordingly, in the event of arrest/surrender before the learned Court below within four weeks from the date of receipt of copy of this order, the petitioners-accused, namely, **Sudish Prasad, Rupesh Prasad, Savita Devi, Nitu Kumari, Shiv Kumari Devi, Sanjana Kumari and Ranjana Kumari** are ordered to be released on anticipatory bail on furnishing their bail bonds of Rs.10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below in the aforesaid case, subject to condition as laid-down u/s 482 (2) of the B.N.S.S.

(Dictated)

Sd/-

Sessions Judge

East Champaran at Motihari

02-04-2026