

**In the Court of Anand Abhishek, Addl. Sessions Judge-XI, Motihari,
East Champaran**

Anticipatory Bail Petition No.- 1604 of 2026
(Arising out of Paharpur P.S. Case No. 66 of 2025)
[Sonu Sharma @ Dilip Sharma V/s Sate of Bihar]

Present:-

**Anand Abhishek
Distt. & Addl. Sessions Judge-XI
East Champaran, Motihari**

(1) Sonu Sharma @ Dilip Sharma, Aged 32 years, S/o Chhotelal Sharma
R/o vill Neneya Tiwari Tola Matiyaria, P.S. Paharpur, Distt. East Champaran**Petitioner**
Versus

The State of Bihar**Opposite Party**

For the Petitioner :- Sri. Sudhanshu Kumar (Advocate)
For the State :- Sri. Khublal Prasad, Addl. P.P.

Order

21.05.2026

This Anticipatory bail petition has been filed on behalf of the above named accused, who is apprehending his arrest in connection with Paharpur P.S. Case No. 66 of 2025 registered u/s- 85, 3(5) of B.N.S. & ¾ D.P. Act. Copy of this bail petition has also been served upon to the Ld. Public Prosecutor, appearing for the State.

Ld. counsel appearing on behalf of the accused petitioner, submits that the petitioner are quite innocent and has committed no offence. He has wrongly and falsely been implicated into this false and fabricated case due to malice intention, grudge and enmity. No bail application either Anticipatory or Regular has been filed earlier before the court of Sessions or before the Hon'ble Patna High Court. The accused petitioner has no criminal antecedent. The allegations whatsoever levelled against the petitioner is out & out false and concocted and manipulated. The petitioner is husband of informant. The petitioner is ready to keep informant with full dignity and devotion. Co-accused persons have been granted anticipatory bail by the court of Sessions Judge vide A.B.P. No.4455/2025. It is prayed to enlarge the accused petitioners on bail.

Per contra, the Ld. Public Prosecutor Sri. Khublal Prasad, appearing on behalf of the State voluntarily opposed the aforesaid bail petition and submits that there are ample material available on the case record which shows the involvement of the accused petitioner in the present case. It is prayed to reject the aforesaid bail petition.

Heard, both the sides and perused the case record. On perusal, it transpires that the accused petitioner is named in F.I.R. registered for having committed the offence punishable u/s- 85, 3(5) of B.N.S. & ¾ D.P. Act. which are non-bailable in nature. According to F.I.R. marriage of the informant Pooja Kumar was solemnized with accused Sonu Sharma on 13.12.2023. It has been alleged that after her marriage she was subjected to cruelty for non-fulfillment of dowry demand of Rs.5,00,000/- (Five lakhs) and a motorcycle and harassed her physically and mentally. It is further alleged that the accused petitioner was already married

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Contd.... and out of wedlock he already has two children but he deliberately hide the truth and
21.05.2026 remarried with the informant in Bettiah Temple and lastly the petitioner is alleged to have ousted the complainant from her matrimonial house on 05.02.2025.

A copy of case diary has been made available by the prosecution. On perusal, it is evident that the Investigating Officer in course of investigation has recorded the statement of informant and other witnesses as mentioned in para-2, 3, 7, 25, 26 and 27 of the case diary. From the averment made by the witnesses in course of investigation, it transpires that accused petitioner is husband of informant. The informant got married in the known family and she was well acquainted with the facts that the accused petitioner was already married and after her marriage she resided at her matrimonial house only for a week and it is almost three years that the informant is residing with her parents. Despite issuance of notice and several adjournments, informant fails to appear before the court for conciliation. The allegation u/s-85 B.N.S. is general and omnibus in nature. The informant is second wife of the petitioner and as such section 85 B.N.S. is not attracted against the accused petitioner. The accused petitioner is getting benefit of section 35(3) BNSS and has executed the bond before the police as mentioned in para-36 of the case diary. Moreover, the investigation has already been completed and the Investigating Officer has submitted charge-sheet in this case.

It is therefore, considering the above facts and circumstances of the case and the fact that the accused petitioner is benefited u/s-35(3) of BNSS and the punishment prescribed under the aforesaid sections are less than seven years, I am inclined to enlarge the accused petitioner on anticipatory bail. Let, the above named accused petitioner namely, **Sonu Sharma @ Dilip Sharma**, be released on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of like amount of each to the satisfaction of Ld. A.C.J.M.-IX, Motihari, East Champaran, in connection with Paharpur P.S. Case No.66 of 2025, subject to the conditions as laid down u/s-482(2) of B.N.S.S.

(Dictated)
Sd/-
(Anand Abhishek)
Distt. & Addl. Sessions Judge-XI
East Champaran, Motihari