

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Anticipatory Bail Petition No. 1930 of 2025

*(Arising out of Vijaipur P.S. Case No. 214 of 2025, registered U/S 126(2), 115, 351(2)/3(5)
of the B.N.S. and Sec. 3/4 Dian Act)*

In the matter of :-

Name of the petitioners :1.) Ishrawati Devi, 2.) Bunela Prajapati @
Bundela Prajapati and 3.) Mamta Prajapati.
F.I.R. U/S : 126(2), 115, 351(2)/3(5) of the B.N.S. and Sec. 3/4
Dian Act
Charge-Sheet U/S : Not submitted
Counsel for the Petitioners : Shri Ajay Kumar Mishra-II, ld. Adv.
Counsel for the State : Shri Deo Vansh Giri, ld. P.P.

O r d e r.

18-04-2026

1. This Anticipatory bail petition filed on behalf of above named accused-petitioners, who are apprehending their arrest in connection with Vijaipur P.S. Case No. 214 of 2025, registered U/S 126(2), 115, 351(2)/3(5) of the B.N.S. and Sec. 3/4 Dian Act, is put up for hearing.

2. As per the F.I.R., the prosecution case in brief is that on the basis of written application of the informant, Vijaipur P.S. Case No. 214 of 2025 has been lodged against the petitioners. It is inter alia alleged in the F.I.R. that on the alleged date and time of occurrence, all the petitioners every day used to embarrassed the informant by saying her dian, which was protested by her husband, all the accused-petitioners threatened to implicate her husband in a false case. Due to which, assaulted took place and petitioner Ishrawati Devi assaulted with leg in abdomen of the informant and she started suffering from severe pain due to pregnancy of 7 months and she has stated that if she suffered any type of pregnancy problem, all the accused petitioners will be responsible.

3. It is submitted on behalf of accused/petitioners that they are innocent and have committed no offence and have been falsely implicated in this case. It is further submitted that both the parties are close agnates and there is some dispute regarding sewerage of water. It is further submitted that the alleged Sections of the B.N.S. is bailable except alleged offence of Dian Act, which does not make out. It is further submitted that the offences alleged are punishable below 3 years of punishment. It is lastly submitted that petitioners bear clean past. On such strength, prayer for bail has been made by the petitioners.

4. Heard ld. Counsel appearing on behalf of the petitioners as well as ld. P.P. for the State. Ld. P.P. has opposed the prayer for bail of the accused-petitioners and has stated that on direction of this court, requisition was sent to the concerned I.O./S.H.O. of concerned P.S. but the case diary was not produced by till date.

5. Having heard both the parties and perused the case record. From the perusal of the F.I.R as well as case record, it transpires that petitioners are

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named in the F.I.R. and there is only allegation against petitioner Ishrawati Devi that she has allegedly assaulted in the abdomen of the informant with leg and she started suffering from severe pain due to pregnancy and there is no specific allegation attributed against remaining accused-petitioners. Ld. Counsel for the petitioners has disclosed in the anticipatory bail application, petitioners bear clean past. In this matter, despite several adjournments, case diary was not produced by the ld. P.P. for the State after that show cause was issued vide Memo No. 136 dated 19-11-2025 against the S.H.O. concerned in spite of which, the S.H.O. concerned has not submitted the case diary nor any reply was given of show cause notice after that again reminder show-cause notice was issued vide Memo No. 09 dated 27-01-2026 despite it the S.H.O. concerned has not submitted the case diary and there is no injury report or any other material available on record at this stage in support of the prosecution case.

6. Considering the aforesaid facts and circumstances of this case, the prayer for anticipatory bail of the petitioners is allowed. It is accordingly ordered that in the event of arrest or surrender before the ld. Court-below within 30 days from the date of this order, the above named petitioners shall be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of ld. Court-below subject to conditions as laid down U/S 482(2) B.N.S.S. **subject to conditions that one of the bailers shall be close relative of the petitioners and one shall be local with further condition that petitioners will give an undertaking that they shall co-operate in the investigation/trial and they shall not temper with the witnesses or evidence.**

Let a copy of this order be sent to the ld. Lower court for information and needful and the order be uploaded on C.I.S. immediately and a copy of this order be also sent to the S.P., Gopalganj for information and needful.

(Dictated)

(Geeta Gupta)
Principal Sessions Judge, Gopalganj.