

**The court of Sri. Baljinder Pal, Additional Sessions Judge-Ist,  
Kaimur at Bhabhua**

**A.B.P. No. 883 of 2026**

**(Arising out of Chainpur PS Case No. 210/2026 registered u/ss 64,  
61(2), 3(5) of the BNS)**

**In the matter Of :**

1. Shiv Charan Kumar S/o Jang Bahadur Yadav, aged about 25 years.
  2. Kamla Devi W/o Jang Bahadur Yadav, aged about 60 years.
- Both R/o Village-Parwatpur, PS-Chainpur, Distt-Kaimur.

----- **Petitioners**

V/s

The State of Bihar

----- **O.P.**

Crl. Antecedent :- 0 (as per para- 3 of bail application)

Ld. Counsel for the Petitioners : Sri Prahlad Singh.

Ld. A.P.P. for the State : Sri Virendra Prasad Singh.

**ORDER**

**Date : 06.06.2026**

**1.** Anticipatory Bail Application, dated 16.05.2026, received for disposal on 18.05.2026, filed on behalf of the petitioners above named, apprehending their arrest in connection with Chainpur PS Case No. 210/2026 registered u/ss 64, 61(2), 3(5) of the BNS, is moved for hearing. The Ld. Advocate placed on record the certified copy of the joint divorce petition filed on behalf of the informant and her husband in the Court of Ld. Principal Judge (Family Court) and also the certified copy of order-sheet dated 28.05.2026. The Id. Advocate of the informant and the Ld. A.P.P. present. Heard both sides.

**2.** The Id. Advocate on behalf of the petitioners submitted that as argued earlier on dated 19.05.2026 and 27.05.2026, further submits that the petitioners filed no anticipatory bail or regular bail earlier or pending before this Court or before the Hon'ble High Court, Patna.

The Ld. Advocate further submitted that the accused/petitioners have no criminal antecedents and neither there is any allegation of committing rape or assisting the co-accused whereas the accused/petitioners and father of petitioner 1 and husband of petitioner no. 2 and also father-in-law of the informant are falsely involved in this case by making false and frivolous allegations in concocted story but the true facts are that the informant was married with her husband and her husband is deaf and dumb, which the informant do not like and wants divorce from her husband and, therefore, by concocting false story of rape by father-in-law and conspiracy to commit her murder by her mother-in-law and brother-in-law, got false and frivolous case registered against all the family members whereas there is no iota of truth in the story of the informant, and the contents of joint petition filed before the Ld. Principal Judge (Family Court), Kaimur at Bhabhua, supports the arguments of the petitioner that the accused/petitioner are involved in false case only to get divorce from her husband and to pressurize and coerce the family and her husband to concede for mutual divorce and now to get rid of the complications and litigations and to save the future of the entire family, her husband has agreed to divorce the informant and has filed for mutual divorce petition u/s 13(B) of the HMA before the Ld. Family Court.

The Ld. Advocate further submitted that in her written report the informant has alleged commission of rape by father-in-law whereas during investigation she has alleged commission of rape her brother-in-law before the Ld. Magistrate but when the victim was taken for medical examination she had not given consent and as per contents of divorce petition placed on record, the informant has stated the reason of applying for divorce in para nos. 4, 5, 6 and 7 of the joint petition and has particularly stated in para no. 1 that she was married with her husband on 22.05.2024 and came to know that her husband is deaf and dumb and also dependent on his father and no any conjugal relation was made between the informant and her husband and, therefore, she has applied for mutual divorce and to get ready her husband for mutual divorce, the informant has got lodged the present case to build pressure on the family.

**3.** After hearing both sides in the light of material available on record and considering that the informant has alleged commission of rape by her father-in-law in her written report and later on also implicated her brother-in-law in statement u/s 183 of the BNSS, wherein no date of sexual assault by the petitioner no. 1 and no date, time and month of any alleged sexual offence is disclosed by the informant either in the FIR or the statement u/s 183 of the BNSS, is disclosed by the alleged witness, and the hatching of conspiracy to commit her murder by the accused/petitioners, she called dial 112 but no injury was observed either by the police or by doctor examining her in medical examination and she had refused to give consent in her medical examination regarding rape before the doctor and the contents of the joint petitioner placed on record also speaks about the conduct and intention of the informant.

**4.** Considering the factual scenario revealed on record, the Court is of the judicious view that the accused/petitioners no. 1 and 2 are entitled anticipatory bail and accordingly the prayer of anticipatory bail is **accepted**. In the event of arrest or surrender before the Court, and they are directed to be released on bail of furnishing bail bonds of Rs. 10,000/- with two sureties like amount subject to condition u/s 482 r/w Section 480(3) of the BNSS.

**5.** The observations made in this order are only on the basis of submission and material available on record, for the purpose of disposal of the anticipatory bail application and should not be regarded as an option in investigation, inquiry or trial.

(Dictated)

**sd/-**

(Baljinder Pal)  
Additional Sessions Judge-1  
Kaimur at Bhabhua