

IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II

DISTRICT-Katihar
(A.B.P. No. 754/2026)

In the matter of

1. Dilip Das S/o Late Bipin Das 2. Kusum Devi W/o Dilip Das
both are R/o Vill- Mohadipur, P.S. Balrampur, Dist- Katihar.

.....**Accused/petitioners.**

Vs

State of Bihar.....Opposite Party.

Balrampur P.S. Case No. 63/2026

U/S- 103(1), 3(5) of B.N.S.

Ld. Advocate for petitioners- Shri Bal Krishna Jha

Ld. A.P.P. for the State- Shri Md. Azaj Alam

ORDER

17.07.2026- This anticipatory bail petition has been filed on behalf of the accused-petitioners namely **Dilip Das and Kusum Devi** who are apprehending their arrest in connection with aforesaid case. ■

Heard the Ld. counsel Shri Bal Krishna Jha appearing on behalf of the petitioners and Ld. A.P.P. Shri Md. Azaj Alam on behalf of the state.

According to F.I.R., prosecution case in nutshell is that informant to this case namely Basant Das lodged a written report before S.H.O., Balrampur to this effect that on dated 23.04.2026 when his wife was cutting vegetable in baramda at that time informant's daughter-in-law namely Chanda Devi started quarreling with her mother-in-law namely Bijali Devi and in that course she gave a blow of Basula (sharp edged object) on the head of Bijali Devi due to which Bijali Devi got injured. Later on, Bijali Devi was taken to Barsoi Hospital where she was provided first aid treatment and after that she was referred to Raiganj hospital. Informant has further stated that after whole night treatment, on next morning at about 08:00 O'clock his wife again referred to Siliguri hospital and on the way to Siliguri hospital his wife got died.

Informant has further alleged that legal action be taken against Chandana Devi and accused-petitioners namely Dilip Das and Kusum Devi.

On the other side learned counsel for the petitioners has reiterated all the grounds taken in the bail petition and has submitted that the petitioners are quite innocent and they have committed no offence and they have falsely been implicated in this case. He has further submitted that petitioners are not present at the place of occurrence and the informant falsely roped the petitioners because petitioners are the parents of Chanda Devi. Ld. Counsel has further submitted that from perusal of the written report as well as statements of the witnesses of case diary it would be quite clear that there is no allegation against the both petitioners. Even any witness of case diary has never stated that both petitioners were present at the place of occurrence or they instigated any time before to the

accused namely Chandana Devi for committing such heinous act. Reality is that sudden altercation took place in between Chandana Devi and Bijali Devi and being furious Chandana Devi caused injury to the Bijali Devi and present petitioners have no role in this alleged occurrence. Furthermore, compromise has already been taken place between both the parties and joint compromise petition is also on the record. Accused-petitioners have got no bad criminal antecedent. Accordingly, it has been prayed to allow the bail petition.

Per contra, Learned A.P.P. has vehemently opposed the prayer for anticipatory bail.

Heard both parties at length, perused the entire case record. From perusal of the entire case record along with updated case diary it is quite clear that in written application informant has not levelled any allegation against the petitioners. Further, in his re-statement recorded in case diary, informant has not levelled any allegation. Further, any witness of the case diary have also not levelled any allegation against the both petitioners. From record it prima facie appears that since both petitioners are own parents of the accused namely Chandana Devi due to that very reason they have been implicated in this case. Further, as per bail petition petitioners have got no bad antecedent.

So having considered the above facts and submissions made by the Ld. Counsel for the petitioners, the instant anticipatory bail petition is hereby allowed and accordingly it is ordered to release the petitioners namely **Dilip Das and Kusum Devi** on bail in the case of surrender/arrest within three weeks of this order on furnishing of bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court concerned subject to the condition as mentioned in the section 482 (2) of the B.N.S.S., with additional condition that accused-petitioners will file an undertaking with bail bonds to this effect that they will co-operate in the investigation of this case and further they will remain present at the time and place as required by the I.O. to this case.

Addl. Sessions Judge-II
Katihar