

**In the Court of District & Add. Sessions Judge-II,
Jhanjharpur (Madhubani)**

Anticipatory Bail Petition No.-374/2026

1. Mahesh Kumar Sah aged about 26 years S/o Ganga Prasad.
 2. Shanti Devi aged about 22 years W/o Mahesh Kumar Sah.
- Both R/o Village- Jahalipatti, P.S.- Ghoghardiha, District- Madhubani.

.....Petitioners

Versus

1. State of Bihar through Additional Public Prosecutor.

.....Opposite Party

Anticipatory Bail Petition Under Section 482 B.N.S.S.

For the petitioner : Shri Shambhu Kumar, Advocate

For the O.P. State : Shri Dev Shankar Jha, APP

O R D E R

Dated: 01.07.2026

This anticipatory bail petition filed on 24.02.2026 under section 482 B.N.S.S. on behalf of the above named petitioners **1. Mahesh Kumar Sah & 2.Shanti Devi**, who are apprehending their arrest in connection with **Ghoghardiha P.S. Case No. 74/2026, G.R. No. 684/2026** for the offence **under section 126(2), 115(2), 110, 74, 351(2), 352 of B.N.S & 27 Arms Act**, which is pending in the court of Md. S. Rahman, J.M.F.C, Jhanjharpur, is being pressed and heard.

The case of the prosecution in brief is that on 29.03.2026, his son Mahesh Kumar Sah assaulted his daughter Vinita Kumari, and his wife Bechani Devi, along with his wife. In this regard informant's wife had lodged a case. Due to that incident, on 31.03.2026 at about 07:00 PM, petitioner accused named in F.I.R stared abusing, and when informant opposed it, then his son assaulted him with iron lock on his head, that cause head injury, and during that his son brought a pistol

and attempted to shoot him. Hence, this case.

Learned counsel for the accused petitioners submitted that the petitioners are quite innocent, and have not committed any offence. The petitioners have been implicated in this false case due to previous enmity. That no other bail petition either regular, or anticipatory bail application has been filed earlier either before the Ld. Court, or before Hon'ble High Court, Patna. That there is one criminal antecedent against petitioners. That no case is made out under section 110, 74 of B.N.S, and section 27 of arms act has been added to make this case graver. That the petitioners have falsely been implicated in this case out of enmity arising from Ghoghardiha PS. Case No. 65/2026, lodge by the petitioners. It is further stated that no incriminating article has been recovered from the conscious possession of the petitioners. Accordingly, he prays to grant anticipatory bail to the accused petitioners.

Learned APP had opposed the prayer of anticipatory bail.

Heard the argument, and perused the case diary. It is apparent from case diary that petitioners are son, and daughter in law of informant. Petitioners bear one criminal antecedent. From fardbyan of informant, and witnesses there is no specific allegation against petitioner no-2 ie Shanti Devi. Allegation against her are general and omnibus. Further, she is a woman. Hence, the anticipatory bail of petitioner no-2 ie **Shanti Devi** is **allowed**. In the event of arrest or surrender of the petitioner within 15 days from the date of communication of this order, the petitioner is directed to be enlarge on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Trial Court, subject to the conditions as laid down u/s 482(2) of BNSS.

However, there is direct allegations against petitioner no-1 ie Mahesh Kumar Sah. Petitioner had assaulted his father. Although, injury is simple, but the same is on forehead of informant. Moreover, petitioner no-1 by holding pistol ran towards his father to kill

him, which onlookers snatched from his hand. Witnesses had corroborated the occurrence in their statement in para-6, 7, and 8 of case diary. Also in para-46 of case diary, description of CCTV footage is there, which shows petitioner holding pistol. Considering these facts, this Court is not inclined to give privilege of anticipatory bail to the petitioner no-1. Hence, anticipatory bail petition of petitioner no-1 namely **Mahesh Kumar Sah** is hereby **rejected**.

Dictated

Sd/-

**Addl. Sessions Judge-II,
Jhanjharpur**

Memo No...../2026, Dated:.....

Copy of order forwarded to the court of Md. S. Rahman, J.M.F.C, Jhanjharpur for information and needful.

**Addl. Sessions Judge-II,
Jhanjharpur**