

**In The Court Of 1<sup>st</sup> Additional Sessions Judge, Muzaffarpur****A.B.P No. 483/2026****Sunaina Devi & Ors..... petitioners.****Vs.****State of Bihar.....O.P.****O R D E R****06.03.2026**

This application has been filed, for grant of anticipatory bail, on behalf of the accused petitioners namely, (1) Sunaina Devi (2) Rajkishore Sah and (3) Vikash Kumar, in connection with Sikandarpur P.S. Case No. 13/2026, registered U/Ss 318(4), 316(2), 336(3), 338, 351(2), 352, 3(5) of the B.N.S., pending in the Ld. Court of A.C.J.M. 7<sup>th</sup>, Muzaffarpur (East).

Heard arguments of Ld. Counsel, appearing for the accused petitioners, Ld. Counsel for the informant and Ld. A.P.P. for the State.

Ld. Counsel for the accused petitioners, has submitted that previously no anticipatory or regular bail petitions of any nature, had been filed by the accused petitioners, either in this court or before the Hon'ble High Court. That the petitioners have got no criminal history. That the petitioners are quite innocent, have not committed any offence and have falsely been implicated in this case, out of previous enmity. That entire allegations, as levelled in this case, against the petitioners, are false and fabricated. That the informant of this case and petitioner no. 02 are full brothers and petitioner no. 01 is sister-in-law and petitioner no. 03 is nephew of the informant. That the petitioner no. 02 & 03 had taken a loan of Rs. 7,00,000/- from Utkarsh Small Finance Bank, after mortgaging their land of R.S.P. No. 656, recorded under R.S. Khata No. 75, Area 1.01 dec. and they are duly paying installment amounts, on time, to the said bank. That the petitioners have never cheated the informant and have never committed any forgery or criminal breach of trust with the informant. That there is no witness to the alleged occurrence and no one has ever seen these petitioners committing or abetting the alleged occurrence. It has further been submitted that the petitioners have got genuine apprehension of their arrest in this case. Ld. counsel for the petitioners side, prays for their release on anticipatory bail.

Ld. A.P.P. for the state and Ld. Counsel for the informant, opposed the prayer for anticipatory bail.

Perused the record, including the F.I.R. and case diary, from paras no. 01 to 35. From perusal of the record, it transpires that allegation of the informant is that the petitioners had taken loan from a financial institution by mortgaging a

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portion of land of the informant also, apart from their own land, without consent of the informant. It transpires that the informant and the accused petitioners are family members and it has also been stated that the petitioners are paying back the loan installment amounts, to the bank/financial institution, on time. From perusal of record, no criminal intention appears to be manifested on the part of the accused petitioners and prima facie, allegations of cheating, forgery or criminal breach of trust do not seem to be attracted against the petitioners. As per para no. 03 of the anticipatory bail application, the petitioners have got no criminal history.

Considering the aforementioned facts and circumstances of the case, including nature of allegations against the accused petitioners, the prayer for anticipatory bail, in respect of them, is hereby **allowed**. Accordingly, in the event of their arrest or surrender within four weeks from today, the accused petitioners namely, **(1) Sunaina Devi (2) Rajkishore Sah and (3) Vikash Kumar**, are directed to be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousands) with two sureties of the like amount, each, to the satisfaction of the Ld. Court below and subject to the conditions, as laid down u/s 482 (2) of the B.N.S.S. Let a copy of this order be sent to the court concerned, for needful.

(Dictated)

Sd./-

1<sup>st</sup> Addl. Sessions Judge  
Muzaffarpur