

In the Court of Additional Sessions Judge-V, Muzaffarpur

Anticipatory Bail Petitions No. 1301/2026

(Arising out of Piyar P. S. Case No. 43/2026)

In the matter of:

1. Raghu Nath Chaudhary S/o - Late Rijhan Chaudhary, aged about 67 yrs,
2. Sunaina Devi W/o - Shri Raghu Nath Chaudhary, aged about 65 yrs,
3. Ajeet Kumar Chaudhary @ Prakash Kumar S/o - Shri Raghu Nath Chaudhary, aged about 40 yrs,

All are resident of Village - Sakrouli Buchauli, P. S. - Mahisaul, District - Vaishali

.....Petitioners

With

Anticipatory Bail Petition No. 1371/2026

(Arising out of Piyar P. S. Case No. 43/2026)

In the matter of:

Madhubala Kumari W/o - Ravi Shankar Prasad Rai, aged about 30 yrs,

Resident of village - Nunfara, P. S. - Piyar, District - Muzaffarpur

A/P - D/o - Late Nagendra Singh

Resident of village - Sarhachiya, P. S. - Aurai,

District - Muzaffarpur

.....Petitioner

Versus

State of Bihar

:

..... Opposite Party

Appearance(s)

Counsel for the Petitioner(s)

: Priya Ranjan, Advocate
: Amrendra Kumar, Advocate
: Bimlendra Kumar, Advocate
: Shubham, Advocate

Counsel for the State

: Jay Prakash Shaw, Advocate
: Sadhusaran Prasad, Addl. PP.

Counsel for the Informant

: Anil Kumar Chaudhary, Advocate
: Raju Kumar, Advocate
: Soumya, Advocate

Present: Suman Kumar Divakar
Bihar Superior Judicial Service

Order

04-06-2026

1. The Petitioners are praying for anticipatory bail in connection with Piyar P. S. Case No. 43/2026 registered for the offences under Section 108, 3(5)

of Bhartiya Nyay Sanhita, 2023 (hereinafter referred to as 'BNS' for short). Both the petitions are being disposed of vide common order as they do arise from the same P. S. Case.

2. Briefly stated, the prosecution has alleged that due to torture extended by the petitioners, Archana Kumari (since deceased) went into depression and committed suicide by putting herself on fire. It has also been alleged that the petitioner Madhubala Kumari who happens to be sister-in-law (bhabhi) of the deceased developed illicit relationship with Vikash Kumar Chaudhary (the husband of the deceased) and broadly this fact led to such an unfortunate incident. The petitioner Raghunath Chaudhary and Sunaina Devi are parents of the deceased and they are also father-in-law and mother-in-law of the petitioner Madhubala Kumari.
3. Learned Counsel for the petitioner Madhubala Kumari submits that the entire allegations levelled against her are false and fabricated. She has no illicit relationship with the husband of the deceased. There is matrimonial discord between her and her husband (brother of the deceased) and she has also filed matrimonial case. He further submits that due to wrong medication, the deceased slipped into depression and did her own burning. There is no ingredient of abatement of suicide present in the given case. Further, Learned Counsel for the petitioners Raghunath Chaudhary, Sunaina Devi and Ajeet Kumar Chaudhary submits that no specific allegation has been alleged against these petitioners. The husband of the deceased has no relation with these petitioners as he is in Indian Army and he lives in Ghaziabad. In this backdrop, they pray for anticipatory bail.
4. Learned Additional Public Prosecutor has opposed the prayer so made on behalf of the petitioners. Learned Counsel for the Informant has brought on record a photo copy of sale deed purchased by husband of the deceased in favour of the petitioner Madhubala Kumari. He has also brought on record wherein the petitioner Madhubala Kumari has been shown as mother of son of the deceased. The document brought on record by way of list of

documents on 12.05.2026 and 25.05.2026 on behalf of the informant have been taken on record.

5. Heard the parties. Considered the submissions. Perused the material on record including case diary. It appears from the FIR that there is allegation to the effect that all the petitioners used to do marpit and extend torture with the deceased. They used to oust her from the matrimonial house. They used to deprive her from food etc. Prima facie it is also appearing on the record by taking into account the documents brought by the informant that the petitioner Madhubala Kumari has been in close courtship with the husband of the deceased. There is nothing to show that as to whether such act of the husband of the deceased was ever objected by the other petitioners. Further, prima facie it appears that for any wife, if her husband enjoys life with other lady and more so in the given case, Madhubala Kumari is none else but own bhabhi of the deceased, and if same is supported by other family members, then it may be a case of a severe abatement. Though, it is a prima facie observation just for the purpose of taking call in the present case.
6. In view of above and further, considering the attending circumstances coupled with nature and gravity of the offence, I am not inclined to extend the petitioners the privilege of pre arrest bail. In the result, both the petitions stand **dismissed**.

(Suman Kumar Divakar)
Additional Sessions Judge-V
Muzaffarpur

Date of Judgement/Order	04.06.2026
Date of reserving Judgement/Order	04.06.2026
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