

Shri Shailendra Kumar-1
District & Additional Sessions Judge - 10th, Muzaffarpur.
ABP No. 1793/2026 order dated 22-06-2026
Vicky Mahto Vs. State of Bihar

Court of District & Additional Sessions Judge - 10th, Muzaffarpur
ABP No. 1793/2026 Order dated 22-06-2026

1. **VICKY MAHTO S/O KHARESH MAHTOPETITIONER**
VERSUS
STATE OF BIHARO.P

(Arising out of Benibad P.S. Case No. 25/2026, u/s 80(2) r/w Section 3(5) of the B.N.S.)

Ld. Counsel on behalf of petitioner :-	Shri Sunil Kumar Jha
Ld. Counsel for the State :-	Shri Sunil Kumar, (Ld. A.P.P.)

ORDER

22-06-2026 1. An Anticipatory bail petition dated **28.04.2026** along with power and certified copy of the documents has been filed on behalf of petitioner who is apprehending his arrest in connection with **Benibad P.S. Case No. 25/2026, dated 16.02.2026 u/s 80(2) r/w Section 3(5) of the B.N.S.** Heard the learned counsel **Shri Sunil Kumar Jha** for the applicant/accused persons and the Ld. Addl. Public Prosecutor, **Shri Sunil Kumar**, on the anticipatory bail application.

2. The prosecution story in brief is that the informant Indu Devi's 22-year-old daughter, Rajni Kumari, who was married to Vikki Mahto in June 2023, was consistently subjected to physical assault and torture by her matrimonial in-laws over illicit demands for additional dowry. On 15.02.2026, at around 9:30 PM, the informant received telephonic information from a relative stating that her daughter had been killed at her matrimonial residence. Upon arriving at the scene, the informant found her daughter's deceased body lying on a cot with white foam discharging from her nose, while the accused persons namely the husband Vikki Mahto, mother-in-law Mukhli Devi, brother-in-law Chandan Mahto, and an unnamed sister-in-law had absconded after

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collectively murdering the victim due to the non-fulfillment of dowry demands.

3. Ld. Counsel for the petitioner has been submitted on behalf of petitioner that the petitioner is innocent and he has been falsely implicated in this case on mere suspicion and doubt caste by the informant. No earlier bail has been preferred either before this Court or the Hon'ble Court. The petitioner has clean criminal antecedent. The entire prosecution story as alleged is false and concocted and none of the offence is attracted against the petitioner. The deceased was temperamental in nature and on that state of mind, she might have consumed poison herself and due to that she died. The allegations are omnibus and not specific rather the married daughter-in-law and unmarried brother-in-law have been made accused in this false and concocted case. The petitioner is husband of the deceased and the minor child is still with the custody of petitioner for better look after the seeing the tenderness of child, better look after will be done by the parent of child. The petitioner is ready to abide by all the conditions imposed by the Court. Prayed for bail.

4. On the other hand Ld. A.P.P. has vehemently opposed the prayer of bail.

5. Heard both the parties and perused the case record. From perusal of case record and case diary of the case it appears that the petitioner is husband of the deceased. The informant of this case has alleged that the petitioner and others have committed dowry death against daughter of the informant. The marriage was solemnized on June, 2023. So, the dowry death was committed within 7 years of marriage of the deceased. After perusal of paras 18, 19, 20, 21 & 22 of the case diary, the petitioner and others committed cruelty against the deceased for demand of dowry prior to her death. Her death was caused in her matrimonial home. All witnesses have expressed that the death of the victim was caused by consumption of toxic substance. Post-mortem report of the

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deceased mentioned in para 53 of the case diary. According to her post-mortem, it is evident that final opinion regarding cause of death was kept reserved for report of F.S.L.N pathological report. So, this petitioner does not deserve the facility of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, I am not inclined to grant the bail to the petitioner namely **VICKY MAHTO**. Hence, accordingly, his anticipatory bail petition is hereby **rejected**.

(Dictated)

SD/-

Additional Sessions Judge – X
Muzaffarpur