

IN THE COURT OF ADDL. SESSIONS JUDGE-IV, DANAPUR

Anticipatory Bail Petition No. 313 of 2026 (Khagaul P.S. Case No. 56/2026)

In The matter of:-

Anju Devi, aged abt. 62 years, w/o Hriday Kumar Singh, r/o Vill. Kothwan, P.S. Khagaul,
Distt. Patna

..... Petitioner

Vs.

The State of Bihar O.P. No. 01

Saloni Kumari, w/o Akash Deep..... O.P. No. 02

Lawyer for the accused; Sri Manoj Kumar (Adv.)

Lawyer for the State; Sri Kalam Ansari (Addl. P.P.), Sri Ashok Kumar, Adv. for O.P. No.02

Present: - Naghma Tarannum Addl. Sessions Judge-04, Danapur

ORDER

04.04.2026

N
04/04/26

1. The present application has been preferred on behalf the accused petitioner namely Anju Devi, apprehending her arrest in connection with Khagaul P.S. Case No. 56 of 2026 pending in the Court of ACJM Vth Danapur, registered for the offences punishable under Section 126(2), 127(2), 115(2), 76, 78, 352, 351(3), 79, 85, and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and also u/s 3/4 of Dowry Prohibition Act 1967.
2. The prosecution story as emerged from the written report of information given by the informant Saloni Kumari to the SHO Khagaul on 29.01.2026, inter alia alleging therein that, she was married to Akash Deep on 05.05.2025. Initially the marital relations between the informant and her husband was quite happy. But soon after the informant realised that, her father in law, was having bad eyes upon her. Her father in law used to force the informant to massage his body, and whenever she goes to the washroom, he tried to enter into the washroom. About the conduct of her father in law, she had complained to her husband also but instead of taking care of that, her husband used to scold her. It is further alleged that the petitioner and her husband thrown the informant out of her matrimonial home on 07.11.2025 after taking all her

Contd.

IN THE COURT OF ADDL. SESSIONS JUDGE-IV, DANAPUR

Anticipatory Bail Petition No. 313 of 2026 (Khagaul P.S. Case No. 56/2026)

Contd.

24.04.2026

ornament and other articles. She came back to her matrimonial home along with her brother on 25.01.2026, but could not succeed to enter into her home, and had to returned back. It is further alleged that on 26.01.2026 she again visited her matrimonial home with her family but found the doors locked. She somehow managed to enter into the house with her family, but was assaulted by her husband and other family members. When her father, mother, uncle and brothers intervened, the accused persons assaulted them too.

3. The Learned counsel for the petitioner submits that the petitioner is innocent, has committed no offence and has been falsely implicated. No any occurrence as alleged have been taken place, rather the informant herself is not willing to continue with the matrimonial relationship with her husband, and some way or the other tries to disturbe the entire family fabric of the petitioner. Entire allegations are based on concoction and surmises. She is ready to abide by any condition imposed by this Court. Hence prays to be enlarged on bail.

4. Per contra, learned Additional Public Prosecutor assisted by the Id. counsel representing the informant, has strongly opposed the prayer for bail. It is submitted that the allegation against the petitioner are very serious in nature, therefore does not deserve any leniency.

5. This Court is conscious that anticipatory bail is a discretionary relief to be granted on judicious consideration of the nature of accusations, the necessity of custodial interrogation, likelihood of tampering with evidence, influencing witnesses, and the overall interests of justice.

6. In cases relating to matrimonial/cruelty allegations, the

Contd.

IN THE COURT OF ADDL. SESSIONS JUDGE-IV, DANAPUR

Anticipatory Bail Petition No. 313 of 2026 (Khagaul P.S. Case No. 56/2026)

Contd.

04.04.2026

N
04/04/26

Hon'ble Supreme Court in Arnesh Kumar v. State of Bihar, (2014), cautioned against unnecessary arrests and emphasized adherence to statutory safeguards and the requirement that arrest must be justified by necessity.

7. In **Satender Kumar Antil v. Central Bureau of Investigation & Anr (2022)**, the Hon'ble Supreme Court has emphasised that arrest should not be made in a routine manner and that liberty is to be preserved unless custodial interrogation is imperative. Similarly, in **Md.Asfak Alam v. State of Jharkhand & Anr (2023)**, the Hon'ble Supreme Court reiterated that in cases where the accused is cooperating and the offences are not heinous, bail should ordinarily be granted. In **Sushila Aggarwal v. State (NCT of Delhi), (2020)**, the Hon'ble Supreme Court clarified that anticipatory bail can be granted with appropriate conditions and need not be time-bound in all cases.

8. Accordingly, in the event of arrest or surrender before the court below within a period of six weeks from today, the petitioner, Anju Devi, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned court below, in connection with Khagaul P.S. Case No. 56 of 2026, subject to the conditions as laid down under Section 482 BNSS, and further conditions that:

9. (i) The petitioner shall cooperate with the trial.
(ii) The petitioner shall not directly or indirectly induce, threaten or promise any person acquainted with the facts of the case.
(iv) In case of violation of any of the conditions, the prosecution shall be at liberty to move for cancellation of bail.

10. It is made clear that any observation made herein is only for the purpose of disposal of the present

Contd.

IN THE COURT OF ADDL. SESSIONS JUDGE-IV, DANAPUR

Anticipatory Bail Petition No. 313 of 2026 (Khagaul P.S. Case No. 56/2026)

Contd.
04.04.2026

anticipatory bail application and shall not prejudice the trial on merits.

11. Let a copy of this order be transmitted to the court concerned forthwith.

Naghma Tarannum
04/04/26
(Naghma Tarannum)

Addl. Sessions Judge-IV, Danapur