

IN THE COURT OF 01st DISTRICT & ADDL. SESSIONS JUDGE
ROHTAS AT SASARAM
ANTICIPATORY BAIL PETITION NO. 497 of 2026
Arising out of Baghaila P.s. Case No. 25 of 2026
Under section 126(2), 115(2), 85, 74, 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023.

IN THE MATTER OF:-

1. **Lal Bihari Sah**, Aged about 62 years
S/o- Hari Sah
 2. **Pappu Sah**, Aged about 42 years
S/o- Lal Bihari Sah
 3. **Anita Devi**, Aged about 40 years
W/o- Pappu Sah
 4. **Dhanmuni Devi**, Aged about 62 years
W/o- Lal Bihari Singh
All R/o- Village- Majhiyawan, P.s. Baghaila, District- Rohtas
- Petitioners.

Versus

The State of Bihar Opposite Party.

For the Petitioner : Mr. Rakesh Kumar, Ld. Advocate.

For the O. P. (State) : Mr. Upendra Kumar, Ld. P.P.

ORDER

15.05.2026 This **pre-arrest bail** has been preferred u/s 482 of Bharatiya Suraksha Nagrik Sanhita, 2023 (438 Cr.P.C.) on behalf of the above noted accused persons apprehension of arrest in connection with Baghaila P.S. Case No. - 25 of 2026 for the offence under section 126(2), 115(2), 85, 74, 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023. The parties have already been heard. The matter is posted today for order. The order follows:-

The learned counsel for petitioners / accused persons reading out the contents of F.I.R., have submitted that petitioners are quite innocent and have committed no offence and they have been falsely implicated in this case due to misunderstanding and the petitioners have got no any criminal antecedent. He further submitted that no occurrence took place as alleged at all and the whole allegations alleged in the F.I.R. are totally wrong, false and incorrect and petitioner no. 1 is father in law, petitioner no. 2 is brother in law, petitioner no. 3 is sister in law and petitioner no. 4 is mother in law of the informant. He further added that the alleged sections are not applicable against the petitioners and they are ready to give undertaking bond laid down under section 482(2) of the B.N.S.S.,2023 and petitioners are ready to furnish sureties and prayed to enlarge the petitioners on pre-arrest bail.

Per contra, the Ld. P.P appearing for the State has opposed the prayer for pre- arrest bail submitting that the allegation is direct against the accused persons /petitioners and serious in nature. Hence, prayed to reject it.

After giving due attention to the averments of both parties it goes to appear from the record that the case has been registered under section 126(2), 115(2), 85, 74, 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023 by the informant against the petitioners who happens to be her in-laws. It is also notice worthy that the matter was transmitted to the District Legal Services Authority, Rohtas at Sasaram where on some of the petitioners and informant appeared but it went in vain as certain other relatives of both sides failed to play the role in order to see the amicable settlement, which was required in the interest of both side. The victim side has reported to this court that another F.I.R. has been lodged after the incident took place on 05.05.2026 nearby the civil court gate bearing Sasaram F.I.R. no. 340 of 2026

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dated 08.05.2026 under section 126(2),115(2), 74, 351(2), 352, 3(5) of B.N.S.,2023 against the relative of petitioner side namely chandan Sah and ranjan kumar. The contents of such F.I.R.(the copy of such F.I.R. is placed before this court) do not indicate anything questionable, done on part of the petitioners of this file rather it were the chandan sah and ranjan kumar the alleged relatives of the accused/petitioner side. Not forgettable that the conjugal relations between the parties are worsening, the ill-will cropped up between the informant and her husband who is not the petitioner before this court so far. The petitioners are in-laws and petitioner no. 1 and 4 are old aged persons and are father-in-law and mother-in-law and remaining two are the brother-in-law and sister-in-law of the informant and it is not refutable that certain exaggerations in the contents of the F.I.R. may occur when the conjugal relations between the husband and wife deteriorate. Taking note of the whole affairs including the fact that the petitioners are in-laws of the informant namely Munni kumari, this court is of the view to extend a warning chance to applicants/accused persons thereby allowing them to be released on pre-arrest bail, on furnishing bail bonds of Rs. 10,000/- with two sureties each with the like amount, in the event of their arrest or surrender, before the Court in seisin, to its satisfaction, within a period of fortnight with further condition to be under taken, at the time of furnishing of bail bonds u/s 482 (2) of B.N.S.S., 2023. **Accordingly, the prayer of pre-arrest bail is allowed.** It is further to note that the petitioners are duty bound to ensure the fair play in time to come for the revival of conjugal life of the informant and her husband as they are in-laws and if the court in seisin of record finds that they are not playing their role, which required it will be at liberty to hear the parties on the issue of bail afresh and pass order in accordance with law.

(Dictated)

(Illegible)

(Pankaj Mishra)

1st District & Additional Sessions Judge,
Rohtas at Sasaram
15.05.2026

Date of judgement/order	15.05.2026
Date of reserving judgment/order	13.05.2026
Uploading date	16.05.2026
Uploaded by	Prabhash Kr.