

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 05th June, 2026

Present:- Dinesh Sharma, Principal District & Session Judge, Saharsa

A.B.P. No. 201/2026 (Arising out of Chiraiya P.S. Case No. 52/2025)

Ram Chandra Mahto & Another

..... Petitioners Vs State of Bihar

In the matter of :-

1. Ram Chandra Mahto S/o Amirchan Mahto

2. Ahilya Devi W/o Ram Chandra Mahto

Both resident of Village Sahuriya Basahi, P.S. Chiraiya, District Saharsa.

....Petitioners

Vs

The State of Bihar

.....Opposite Party

Appearance :-

For the Petitioners :- Sri Kishlay Kumar Verma, Advocate

For the State :- Sri Krishna Murari Prasad, Ld. P.P. assisted by
Sri Sanjay Kumar Choudhary, Ld. Adv for informant

Date of proceeding	Order with the signature of the court	Office action taken with date
05.06.2026	This anticipatory bail petition has been filed on behalf of the petitioners namely (1) Ram Chandra Mahto S/o Amirchan Mahto and (2) Ahilya Devi W/o Ram Chandra Mahto who are apprehending their arrest in connection with Chiraiya P.S. Case No. 52/2025 registered under Sections 80(2), 3(5) of BNS. 3. Heard the arguments of the learned counsel for the petitioners and the learned P.P. for the State. 4. It is submitted by the learned counsel for the accused petitioners that petitioners are innocent and have falsely been implicated in this case due to grudge, malice and enmity. It is further submitted that petitioners bears no criminal antecedent. It is further submitted that the alleged sections are not applicable against the petitioners. It is further submitted that petitioners are man and woman of means and there is no chance of their absconding in this case and they are ready to furnish sound sureties to the full satisfaction of the learned court. Upon these grounds, the learned counsel prays to grant anticipatory bail to the petitioners. 5. On the other hand, the learned P.P. for the state assisted by learned counsel for the informant have	

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opposed the prayer for bail but the learned counsel for the informant has fairly conceded that compromised has arrived at between the parties.

6. Rival submissions considered, Record perused.

7. The prosecution case as per the written report of the informant, Amar Mahto is that he solemnized the marriage of her daughter Pritam Kumari with Biku Mahto seven months ago as per Hindu Rites and Rituals and has has given gifts as per his capacity. On 16.11.2025 at about 02:00 O'clock his son-in-law called him and demanded Rs. 35,000/- for purchasing mobile and threatened him if he will not fulfill the said demand then he will not let his daughter live in the house. After one hour he received information that her daughter Pritam Kumari died. On receiving information when he reached at Basahi village then he learnt that for the demand of mobile his daughter was tortured by Biku Mahto, Navin Mahto, Sulekha Devi, Anku Kumari, Ram Chandar Mahto, Ahilya Devi and two unknown persons killed her daughter by strangulating her neck.

8. The deceased was married with the co-accused Biku Mahto seven months prior to the incident in question. The petitioners are named in the FIR. As per the prosecution the petitioners have allegedly committed murder of the deceased. As per the postmortem report the cause of death is cardio pulmonary arrest due to asphyxia caused by strangulation. The cause of death shows that the death is homicidal in nature.

9. The compromise between the informant and the petitioners is of no value as the case is non-compoundable in nature.

10. The Hon'ble Supreme Court in the case of **Najiya Praveen Vs the State of Bihar and Another and etc (in Criminal Appeal No. 1279-1284/2026 decided on 11.03.2026)** in para No. 21 has observed that ".....*furthermore, in a case involving allegations*

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of murder and conspiracy, the arrest and custodial interrogation of the accused/suspect would be absolutely essential as it could lead to the discovery of further offence fortifying the prosecution case.”

11. In the facts and circumstances of the case, no case is made out to grant anticipatory bail to the petitioners. Resultantly, the anticipatory bail application of petitioners (1) Ram Chandra Mahto and (2) Ahilya Devi is hereby **rejected**.

(Dictated)

Sd/-

(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

05.06.2026

Date of Judgement/Order	05.06.2026
Date of Reserving Judgement/Order	05.06.2026
Uploading Date	08.06.2026
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