

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 24th April, 2026

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

A.B.P. No. 329/2026 (Arising out of Complaint Case No. 1254c/2024)

Mahesh Kumar Chaudhary

..... **Petitioner Vs State of Bihar**

In the matter of :-

Mahesh Kumar Chaudhary S/o Chalittar Chaudhary

Resident of Sharda Nagar, Ward No. 34, P.S. and District Saharsa

....**Petitioner**

Vs

1. The State of Bihar

2. Kumari Indra @ Kumari Indu D/o Manoj Chaudhary

W/o Mahesh Kr. Chaudhary

R/o Bakhtiyarpur Basti Chaudhary Tola, Ward No. 16,

P.S. Bakhtiyarpur and District Saharsa.

Permanent Address Sharda Nagar, Ward No. 34,

P.S. and District Saharsa.

.....**Opposite Parties**

Appearance :-

For the Petitioner :- Sri Deepak Kumar, Advocate

For the State :- Sri Krishna Murari Prasad, Ld. P.P.

Sl. No.	Date of proceeding	Order with the signature of the court	Office action taken with date
	24.04.2026	This anticipatory bail petition has been filed on behalf of the petitioner namely Mahesh Kumar Chaudhary S/o Chalittar Chaudhary who is apprehending his arrest in connection with Complaint Case No. 1254/2024 registered under Sections 115(2), 85 of BNS, 2023 and Section 34 of Dowry Prohibition Act. 2. Heard the arguments of the learned counsel for the petitioner and the learned P.P. for the State. 3. It is submitted by the learned counsel for the accused petitioner that petitioner is innocent and has falsely been implicated in this case due to ill motive. It is further submitted that the petitioner bears no criminal antecedent. It is further submitted that petitioner is husband of the complainant and neither he has tortured the complainant nor demanded dowry from her. The petitioner is the husband of the complainant though only summon has been issued however learned counsel for the petitioner submitted at the bar that the learned trial court never granted anticipatory bail to the husband	

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in the case of Section 85 of BNS. It is further submitted that petitioner belongs to labour class and he is 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 petitioner.

4. On the other hand, the learned P.P. for the State opposed the prayer of anticipatory bail.

5. Rival submissions considered, Record perused.

6. The case of complainant in short, as per the complaint petition is that her marriage was solemnized with the Manoj Kumar Chaudhary on 14.07.2016 in presence of relatives of both sides. As per his capacity the father of complainant has given cash of Rs. 3,50,000/- alongwith jewelries of Rs. 2,50,000/- and clothes and other household articles worth Rs. 80,000/- and a motor-cycle to the petitioner. After fifteen days of marriage the complainant came to know that her husband is not a Government teacher. It is further alleged that her husband has an illicit relationship with his own sister-in-law and when she objected then her husband alongwith his family members threatened to kill her. Thereafter the accused persons demanded cash of Rs. 2,00,000/- as dowry from her for opening a grocery shop but due to non-fulfillment her husband and other family members started torturing her. Two sons and a daughter were born out of their wedlock. The accused persons tried to kill several times and unanimously they decided to kill her by strangulation but her son started crying. The accused persons also tried to kill her by pouring kerosene on her body but she managed to escape from her in-law's house. Panchayti was convened in which the accused persons assured to keep her with full honour and dignity they she was again assaulted and tortured mentally and physically by the accused persons.

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7. The complaint case has been registered under Sections 115, 303, 85, 352, 351, 79 of BNS, 2023 and Section 34 of the Dowry Prohibition Act against five accused persons. The learned trial court has taken cognizance against the accused under Sections 115(2) and 85 of BNS, 2023 on the basis of S.A. of complainant as well as inquiry witnesses.

8. Admittedly the case is based on the complaint as such no investigation is being done and therefore, there is no question of custodial interrogation. The purpose of bail is to ensure the presence of the accused at the time of trial.

9. Considering the totality of the facts and circumstances, the prayer for anticipatory bail of petitioner **Mahesh Kumar Chaudhary** is **allowed** and in the event of arrest or surrender of the petitioners within a period of four weeks from today, he is directed to be released on bail subject to his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties in the like amount each to the satisfaction of the learned jurisdictional Magistrate where the case is presently pending, further subject to the conditions as laid down u/s 482(2) of BNSS.

(Dictated)



(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

24.04.2026

Date of Judgement/Order	24.04.2026
Date of Reserving Judgement/Order	24.04.2026
Uploading Date	28-04-26
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