

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 11th June 2026

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

A.B.P. No. 481/2026 (Arising out of Complaint Case No. 1409c/2018)

Sunil Mistry

..... Petitioner Vs State of Bihar

In the matter of :-

Sunil Mistry S/o Deepnarayan Mistry

Resident of Village Bangaliya, Ward No. 6, P.S. Rohiyar, P.S. Manshi, District
Saharsa.

....Petitioner

Vs

The State of Bihar

.....Opposite Party

Appearance :-

For the Petitioner :- Sri Raj Kumar Paswan, 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
	11.06.2026	This anticipatory bail petition has been filed on behalf of the petitioner namely Sunil Mistry S/o Deepnarayan Mistry who is apprehending his arrest in connection with Complaint Case No. 1409c/2018 registered under Sections 498(A), 323 of IPC. 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. It is further submitted that the petitioner bears no criminal antecedent. It is further submitted that petitioner is husband of the complainant and neither the petitioner has tortured the complainant nor demanded dowry from her. It is further submitted that petitioner has no manner of concern with the alleged incident. It is further submitted that petitioner is a man of means and there is no chance of his absconding or tampering with the evidence and he is also 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 has opposed the prayer of anticipatory bail.	

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<u>Cont/2-</u> <u>11.06.2026</u>	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 Sunil Mistry seven years ago in presence of relatives of both sides. As per his capacity the father of complainant has given household articles worth Rs. 5 Lakhs in the said marriage. After five years of marriage the accused persons demanded cash of Rs. 5 Lakhs for opening a furniture shop. When she objected then the accused persons assaulted her and dragged her with intention of killing. Further alleged that they stopped providing her food by locking her in a room. When the neighbours try to pacify the matter then the accused persons demanded milking cow from her and her gotni has knocked down her by catching her hairs and the accused persons tried to kill her by pouring kerosene on her body. She informed her father about the said incident. Thereafter a panchayati was convened in which the accused persons denied to keep her if their demand will not fulfill. The accused persons had solemnized second marriage of her husband. The accused persons drove out from her house after snatching her all jewelries and articles. 7. The complaint case has been registered under Sections 147, 148, 149, 323, 379, 498(A), 494, 504/34 of IPC and Section 3/4 of the Dowry Prohibition Act against eight accused persons. The learned trial court has taken cognizance against the accused under Sections 498(A), 323, 494 of BNS on the basis of S.A. of complainant as well as statement of inquiry witnesses. 8. The maximum imprisonment which can be awarded in the instant case is three years. The offences are triable by the learned Magistrate and the case is based on complaint as such no question arises for the custodial interrogation of the	
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11.06.2026

petitioner. Initially the learned trial court has issued summons.

9. Considering the totality of the facts and circumstances, the prayer for anticipatory bail of petitioner **Sunil Mistry** is **allowed** and in the event of arrest or surrender of the petitioner 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. Further condition is that the petitioner shall cooperate in the trial and shall remain present physically till the framing of charge and thereafter shall remain duly represented on each and every date of hearing, failing which the prosecution shall be at liberty to apply for cancellation of bail of the petitioner.

10. With the above observation the petition stands disposed of.

(Dictated)

Sd/-

(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

11.06.2026

Date of Judgement/Order	11.06.2026
Date of Reserving Judgement/Order	11.06.2026
Uploading Date	15.06.2026
Uploaded by	Sachin Kumar