

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE - IV
DISTRICT – SHEOHAR**

Present – Aditya Pandey, District & Additional Sessions Judge

Anticipatory Bail Petition (A.B.P.) No. 284 / 2026
(Arising out of Criminal Complaint Case No. C1-135/2025
U/s. 115(2), 352, 85, 3(5) B.N.S. & 4 D.P.Act)

1. Umesh Sah, aged about 46 yrs
2. Usha Devi, aged about 44 yrs

.....Petitioner

Versus

State of Bihar.Opposite Party

AND

Anticipatory Bail Petition (A.B.P.) No. 296 / 2026
(Arising out of Criminal Complaint Case No. C1-135/2025
U/s. 115(2), 352, 85, 3(5) B.N.S. & 4 D.P.Act)

Gautam Kumar, aged about 24yrs

.....Petitioner

Versus

State of Bihar.Opposite Party

Appearance -

For the Petitioners : Sri Mithlesh Kumar, Advocate

For the State : Sri Arshad Siddiqui, Addl. Public Prosecutor, Sheohar.

For the Complainant : Sri Sanjay Kumar. Advocate.

ORDER

30.06.2026

Both the petitions have been filed in connection with Criminal Complaint Case No. C1-135/2025 under section 115(2), 352, 85, 3(5) B.N.S. & 4 D.P.Act, hence joint hearing has been conducted at the request of the parties. The learned advocate for the petitioners and the learned Additional Public Prosecutor along with learned advocate for complainant have been heard at length.

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Umesh Sah & Anr Vs. State of Bihar
&
A.B.P. No. 296 / 2026
Gautam Kumar Vs. State of Bihar**

ORDER

30.06.2026

The petitioners as named in the two petitions apprehend arrest in connection with aforesaid criminal complaint case. The complainant's case in brief is that she was married to the petitioner namely Gautam Kumar on 14.02.2024 and lived with him at their matrimonial home and a son was also born out of the wedlock. It is alleged that after two months of peaceful living, the petitioners started putting pressure on her to demand two lakh rupees from her parents and also treated her with physical and mental cruelty,. It has been alleged that all the petitioners had made such demands also from the complainant's father and on 28.06.2025 the petitioner husband deserted the complainant at her father's house.

It has been averred at the outset in para 2 of the petitions that the petitioners have not filed any anticipatory bail petition before this Court or Hon'ble Patna High Court, and in para 3 that the petitioners have no criminal antecedent. It is further argued and submitted that the petitioners are innocent and falsely implicated on account of domestic dispute. As a matter of fact, the complainant herself was not desirous of living with the petitioners. The offences alleged were matrimonial in nature and that the petitioners were ready to keep the complainant with full dignity and honour. It has been prayed that the petitioners may be granted privilege of anticipatory bail.

The learned Additional Public Prosecutor and the learned advocate for the complainant has opposed the bail petition.

Now, it appears from perusal of record that the petitioners are the husband, his father and mother, and that the allegations have been supported by the complainant and three other witnesses in their statements as recorded during the enquiry made by the learned Magistrate, after which a *prima-facie* case was found

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ORDER

30.06.2026 against the petitioners under section 115(2), 352, 85, 3(5) B.N.S. & 4 D. P. Act, The offences are non-bailable and punishable maximum with imprisonment of three years and with fine.

It transpired during the course of its hearing that the matter was referred to the District Court Mediation Committee, but no settlement could be reached between the parties, However, when both the sides appeared in person before this Court, it was informed that the dispute has been amicably resolved. An undertaking was also filed on behalf of the husband-petitioner that he was ready and willing to keep the complainant with full dignity and honour, that he would not treat her with cruelty, and that he would perform her *vidai* and take her at his house. The learned advocate for the complainant on her behalf has made no objections to the terms of the undertaking. It is also evident that the other two petitioners are parents of the complainant's husband who are not main accused and against whom the allegations are general and omnibus.

In view of the above facts and circumstances, and also considering that the matter has been amicably settled, the prayer is hereby allowed. The petitioners are accordingly ordered to be enlarged on bail in the event of arrest/surrender within **two weeks** of receipt of this order upon furnishing bail bonds of **Rs.10,000** with **two sureties of like amount each** to the satisfaction of the learned trial Court, subject to the terms of **section 482 (2) B.N.S.S.**

(Dictated & Corrected)

Sd/-

Addl. Sessions Judge, IV
Sheohar