

In the court of Mahesh Kumar, District & Additional Sessions Judge-1st,
-cum- Special Judge, SC/ST Sheohar
A.B.P. Case No. 514/2025
Complain Case No. 178/2022
Mohan Pandit & others Vs. State of Bihar

ORDER

11.03.2026

The anticipatory bail petition dated 11.12.2025 has been filed on behalf of the petitioner namely **1. Mohan Pandit and 2. Sunita Devi**, in connection with Complain Case No. 178/2022 registered for the offence u/s 341, 323, 498-A, 504, 506 of I.P.C. the same has been put today for the order.

The prosecution story in brief is that the complainant Kiran Devi stated in her complaint that her marriage was solemnized with Mohan Pandit according to Hindu rites and rituals. After some time of marriage she gave birth of a child and petitioner No. 1 and 3 started to demand dowry. When she refused to do so, all the accused persons beaten her and they drove out the complainant from her matrimonial house. Thereafter the husband of complainant solemnized second marriage with Sunita Devi petitioner No. 2. Then the complainant has filed a maintenance case under 125 Cr.P.C. in which the husband has been ordered to pay four thousand rupees monthly. But after some time the husband of the complainant make default in payment of ordered amount. Lastly the petitioners drove out the complainant from her matrimonial house.

The Learned counsel for the petitioner submitted that petitioners are innocent and they have committed no offence whatsoever as alleged. It is further submitted that the complaint petition as alleged is false, frivolous, baseless and concocted. The petitioners have no criminal antecedent and the petitioners are quite innocent. The husband petitioner No. 1 is ready to keep his wife. The petitioners have been falsely implicated in this case.

The Ld. Additional Special P.P. on behalf of the complainant have opposed the prayer for anticipatory bail. Learned counsel for complainant stated that the petitioner is the husband of the informant and he is not ready to keep her, but the complainant (wife) wants to live with the petitioner. The petitioner not only failed to perform his duty but also started to torture her and lastly he drove out the complainant from her matrimonial house.

Heard both the parties and perused the record.

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After perusal of the FIR, it is clear that the case has been instituted u/s 341, 323, 498-A, 504, 506 of I.P.C. From the perusal of the case record it appears that the petitioner No. 1 is the husband of the complainant and he is not ready to keep his wife, but the complainant (wife) wants to live with the petitioner (husband). It appears that the accused petitioner is the husband of the complainant being the husband, it is his responsibility and liability to keep his wife with full dignity and care. But the petitioner has failed to perform the same. The petitioner not only failed to perform his duty but also started to torture her and lastly he drove out the complainant from her matrimonial house. The court tried to settle the dispute between the parties by mediation but due to non cooperation of the parties the hectic effort of the court went in vein.

Thus, considering the aforesaid facts and circumstances of the case, nature and gravity of allegation as brought against the petitioner. I do not think it proper to enlarge the petitioners on anticipatory bail. Accordingly, the anticipatory bail petition filed by the petitioners namely, **1. Mohan Pandit and 2. Sunita Devi** dated 11.12.2025 is hereby **rejected**.

(Dictated)

Mahesh Kumar

District & Additional Sessions Judge-1st,
-cum- Special Judge SC/ST, Sheohar
11.03.2026