

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
SITAMARHI.
A.B.P No. 624/2026**

Present:- Akhilesh Kumar Jha, Principal District & Sessions Judge.

In the matter of :-

**1. Pinki Devi, w/o- Gorakh Mahto & others, R/o- Dostiya Tola, Ward No. 11
P.S- Bhutahi, District-Sitamarhi.....Petitioners.**

V/S

State of Bihar.....Opposite Party.

Appearance:

For the petitioners : Sri Prabhash Kumar, Advocate.

For the State:- Sri Prafulla Kumar Jha, I/C P.P.

Date of order or proceeding.	Order with the signature of the court.	Office action taken with date.
<u>12.08.2026.</u>	Apprehending arrest, this anticipatory bail petition has been filed on behalf of the petitioners namely, 1. Pinki Devi, 2. Gorakh Mahto, in connection with Bhutahi P.S. Case No. 103/2025 registered u/ss: 126(2), 115(2), 90(1), 76, 329(2), 3(5) BNS. 2. Heard the learned counsel for the petitioners and the learned I/C PP for the State. 3. The learned counsel for the petitioners submitted that the petitioners are innocent and have falsely been implicated in this case due to dirty village politics. The petitioners have no criminal antecedents. There is general and vague allegation against petitioners. On these grounds, the learned counsel for petitioners prayed for grant of anticipatory bail to the petitioners. 4. On the other hand, the learned I/C PP opposed the prayer for anticipatory bail. Further, submitted that there is specific allegation against petitioner no. 2, that he kicked informant in her abdomen, as a result of which, she started bleeding and he also tore her cloths and disrobed her. However, he fairly admitted that the allegation against petitioner no. 01 is general and vague.	

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<u>Contd.</u> <u>12.08.2026</u>	5. The prosecution case, in short, as per fard-beyan of Babita Kumari is that on 12.08.2025 at 06:00 A.M., due to previous dispute, Ravindra Mahto, Gorakh Mahto, Pinki Devi Dhanraj Mahto and Muniya Devi came to her door and started assaulting her. Gorakh Nath Mahto tore her cloths and she became naked and assaulted her with leg on her abdomen, as a result of which, she became unconscious. Thereafter, she found herself bleeding and she was three months pregnant. Accordingly, on the fardbeyan of informant, FIR was registered in this case. 6. Perusal of record shows that there is specific allegation against petitioner no. 02 that he assaulted informant, while the allegation against petitioner no. 01 is general and vague. As per para 3 of the bail petition, petitioners have no criminal antecedents. Injury report of informant is “Pain and three months Amenorrhea, Bleeding USG- W/A- advised and referred to obs & Gyne Department- available on BHT- physical assault on 24.07.2025, P/V bleeding since night, USG- report not submitted as per patient’s statement. She has no any complain after taking medicine”. Her nature of injury has been opined by doctor “seems to be simple”. 7. Considering the aforesaid facts & circumstances of the case, the fact that allegation against petitioner no. 01 is general and vague and she is female, the prayer for anticipatory bail of the petitioner no. 01 is allowed and in the event of her arrest or surrender within a period of four weeks from today, she shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Magistrate where, the case is	
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presently pending, subject to the conditions as laid down u/s: 482(2) BNSS.

So far as, allegation against petitioner no. 2 is concerned, there is a specific allegation against him that he kicked informant in her abdomen, as a result of which, she started bleeding and he tore her cloths and disrobed her. Therefore, this Court is not inclined to allow anticipatory bail of the petitioner no. 02.

Accordingly, his prayer for anticipatory bail is hereby rejected.

(Dictated)

Sd/-

Principal Sessions Judge,

Sitamarhi.

12.082026.

Date of Judgment /Order	12.08.2026.
Date of Reserving Judgment/Order	12.08.2026.
Uploading Date	13.08.2026
Uploaded by	Purushotam Kumar