

**In the court of the 1st Addl. Sessions Judge, Sitamarhi.**

**Anticipatory Bail Petition No. 1504/2025**

Shankar Gupta @ Shankar Kumar & ors..... Petitioners.

Versus

State of Bihar ..... O.P.

**ORDER.**

**05.01.2026**

1. Heard learned counsel for the petitioner and the learned APP for the State. The petitioner, **1. Jitendra Gupta @ Jitendra Prasad Gupta, 2. Urmila Devi**, seeks bail in connection with Mahila P.S, Sitamarhi P.S. Case No. 05/2025 registered under Sections 85, 126(2), 127(2), 115(2), 3(5) of the BNS.

2. In brief, the prosecution case is that the informant was married to petitioner no. 1 Shankar Kumar Gupta on 27.06.2016 and her father allegedly spent cash and jewellery at the time of marriage; after the birth of a daughter, it is alleged that all accused persons started demanding additional dowry of Rs. 1,00,000/- and subjected her to physical and mental cruelty, including assault, deprivation of food and water, forcible dispossession of stridhan, and driving her out of the matrimonial home on different dates including 28.08.2024, 20.09.2024 and 29.12.2024, with an allegation of attempt to kill by strangulation and threats to burn and make her disappear.

3. It is submitted on behalf of the petitioners that they are innocent, have clean antecedents, that the dispute is essentially matrimonial, and that they have been falsely implicated to create pressure for living separately in a city away from the joint family business at Belsand; it is further submitted that petitioner no. 1 had started a private job and there was pressure from the informant's side that he should sell the house and shift business to Sitamarhi. The petitioners undertake to cooperate with investigation and trial, not to misuse the privilege of anticipatory bail, and to abide by the conditions contemplated under Section 482(2) BNSS.

4. Learned A.P.P. opposes the prayer, submitting that the allegations disclose repeated acts of cruelty, dowry demand and a serious allegation of attempt to murder, and that the investigation and trial require the cooperation of the accused. However, it is not pointed out that the petitioners have any criminal antecedent, nor is any specific requirement of custodial interrogation highlighted at this stage.

5. Considering the nature of accusation, the matrimonial relationship between the parties, the age of petitioner nos. 3 and 4 (84 and 83 years respectively), absence of criminal antecedents as stated, the fact that charge-sheet has already been submitted and cognizance has been taken with issuance of bailable warrant, and the mandate of Section 482 BNSS regarding pre-arrest bail, this Court is of the opinion that it is a fit case where the petitioners can be granted the privilege of anticipatory bail, subject to stringent conditions to ensure their

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cooperation with the investigation and trial, and to protect the informant from intimidation.

6. Accordingly, the petitioners namely: **1. Jitendra Gupta @ Jitendra Prasad Gupta, 2. Urmila Devi**, shall be released on bail on furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each, to the satisfaction of the learned lower court, Sitamarhi Sadar, in connection with Sitamarhi Mahila P.S. Case No.05/2025, Trial No. 4746/25, subject to the following conditions under Section 482(2) BNSS:

7. Reference to Mediation Centre In view of the matrimonial nature of the dispute and to explore the possibility of reconciliation or amicable settlement, it is further directed that: After their release on bail, the parties shall be referred by the trial court to the Mediation Centre, Sitamarhi Sadar, where both sides shall appear as and when called, and the mediator shall submit a report to the trial court in accordance with law. This order of anticipatory bail shall remain operative till conclusion of trial, subject to compliance with the above conditions and subject to any variation/modification by the competent court in accordance with law. Put up the record before the learned Court below, Sitamarhi Sadar, for necessary compliance.

(Dictated & corrected)

Sd/-

(Rajeev Kumar),

District & Addl. Sessions Judge I,

Sitamarhi.

Dated:- 05.01.2026.