

In the Court of Sessions Judge, Supaul
A.B.A.-181/2026
(Arising out of Complaint Case No:-439C/2024)

	<p>1. Pawan Mehta, S/o- Prakash Mehta; 2. Prakash Mehta, S/o- Rameshwar Mehta; 3. Jago Devi, W/o- Prakash Mehta; All R/o- Ramnagar, Ward No.10, PS-Bhaptiyahi, District-Supaul;</p> <p style="text-align: right;">.....Accused/Petitioners</p> <p style="text-align: center;">Vs.</p> <p>State of Bihar.O.P.</p>	
<p><u>16/04/2026</u></p>	<p>Ld. Counsel for petitioners Sri. Sanjay Kumar Singh and Sri. Kirpanand Poddar, Advocates.</p> <p>Ld. PP Sri. J.N.Pandey, for the State.</p> <p>By this order we are going to dispose off the anticipatory bail application filed on behalf of accused/ petitioners, namely 1. Pawan Mehta, 2. Prakash Mehta and 3. Jago Devi, who are apprehending their arrest in Complaint Case No.:-439C/2024, u/s- 498(A),323 of IPC & Section 3/4 of D.P.Act.</p> <p>Ld. counsel for the accused/ petitioner argueds that accused/ petitioners are quite innocent and have committed no crime and they have falsely been implicated in this case due to dirty village politics. He further submitted that the complainant of this case also filed a police case bearing Bhaptiyahi PS Case No.216/24 against these accused/ petitioners for the same offence. He further submitted that the offence u/s- 498(A) of IPC & 3/ 4 D.P.Act is not applicable against the accused/ petitioners. It is also submitted that accused/ petitioners are ready to abide by the provisions of section 482 of B.N.S.S, so they may be admitted to the anticipatory bail.</p> <p>Ld. PP for the State strongly opposed the anticipatory bail application.</p> <p>In brief, the prosecution story is that a complaint case was filed by the complainant, namely Anita Devi against 4 accused persons including these accused/ petitioners, who are the husband, father-in-law and mother-in-law of the complainant. As per the statement of complainant that her marriage was solemnized with accused/ petitioner No.1 Pawan Mehta for about one year ago. She further alleged that after 6 months of her marriage, her husband has also demanded a motorcycle and due to non-fulfillment of the said demand, her husband has started torturing the complainant and also tried to electrocute her. Thereafter, a Panchayat was also organized.</p> <p>Argument heard from both sides and perused the lower court record. On</p>	<p>Contd.</p>

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perusal of the lower court record, it transpires that in this case, the complainant also examined other witness namely Shankar Mehta, Vikash Mehta and Laxmi Devi and on that basis of above-said statement, the Ld. Magistrate has taken cognizance against these accused/ petitioners, under Section 498(A), 323 of IPC and 3/4 D.P Act. This court has tried to persuade both the parties to amicably settle the matter and the complainant has gone to her matrimonial home on the last date of hearing and she is still willing to reside with her husband, but there are certain grievances against her husband. Ld. Counsel for the accused/ petitioners also submitted the certified copy of FIR of Bhaptiyahi Police Station bearing registration No.216/24 and this FIR was also filed by the complainant of this case against these accused/ petitioners. The FIR was registered on 03.09.2024 and the complainant has filed this complaint case on 06.05.2024. The complainant has filed the complaint case as well as police case against the accused/ petitioners for the same offence, which is not justifiable in the eye of law. The allegation against the accused/ petitioners is general in nature. The case revolves on complaint petition and there is no any custodial interrogation is required. Hence, as per the *Ratio laid-down* by the Hon'ble Supreme Court in case of "Satendra Kumar Antil Vs. CBI" and our own Hon'ble High Court, Patna in case of "Naushad Ansari Vs. The State of Bihar", I find that all the accused/ petitioners are entitled to get the benefit of anticipatory bail. Therefore, the prayer for anticipatory bail of all the accused/ petitioners stands **Allowed** and in the event of their arrest or surrender before the court within 15 days from the date of receipt of a copy of this order, petitioners are directed to be released on furnishing bail bonds of Rs.20,000/- each with two sureties of like amount each to the satisfaction of Learned Court below with condition that they shall abide by all the conditions laid down in section 482 of B.N.S.S and one of the bailor must be family member or close relative.

Dictated
-Sd-
(Anant Singh)
Sessions Judge, Supaul