

IN THE COURT OF SESSIONS JUDGE, CAMP COURT WEST CHAMPARAN AT BAGAHA
Anticipatory Bail Petition No. : 76/2026
(Arising out of Bagaha Mahila P.S. Case No. 35/2025)

Vipin Sah and Seven others

Petitioners

Versus

State of Bihar

Opposite Party

Learned Counsel for the Petitioners - Sri Ramesh Kumar Pandey (Ld. Advocate)
Learned Counsel for the State - Sri Prabhu Prasad (Ld. A.P.P.-I/C)

04.06.2026 1. This anticipatory bail application is preferred by petitioners namely **1. Vipin Sah @ Vipin Gond @ Vipin Kumar Gond**, S/o.-Rajesh Gond, aged about 25 years, **2. Rajesh Sah @ Sajesh Sah Gond**, S/o-Late Harihar Sah, aged about 65 years, **3. Batasa Devi**, W/o.-Rajesh Sah @ Rajesh Sah Gond, aged about 62 years, **4. Ramji Sah @ Ramji Gond**, S/o.-Rajesh Sah @ Rajesh Sah Gond, aged about 45 years, **5. Prakash Sah @ Om Prakash Sah**, S/o-Rajesh Sah @ Rajesh Sah Gond, aged about 40 years, **6. Manohar Sah @ Manohar Gond** S/o-Ramji Sah @ Ramji Gond, aged about 20 years, **7. Geeta Devi** W/o-Om Prakash Gond, @ Prakash Sah, aged about 35 years and **8. Sobha Devi** W/o-Ramji Gond @ Ramji Sah, aged about 40 years, All R/o.-Village-Patilar, P.S.-Chautarwa, District-West Champaran, apprehending arrest in connection with **Bagaha Mahila P.S. Case No. 35/2025**, for the offences punishable under Sections-341, 323, 498(A), 504, 506/34 IPC and section 4 of D.P. Act.

PROSECUTION CASE

2. The prosecution case in brief is that the marriage of complainant, Sushila Kumari @ Sushila Devi was solemnized with Vipin Sah on 21-01-2022, according to Hindu rites and customs. She alleged that about one month after the marriage, her husband and in-law started abusing and assaulting her. They also stopped providing food and told that they would not keep her in their house and would kill her. She informed her parents about these incidents over the phone. On 01-03-2022 at about 5:00 P.M. when her father came and questioned her husband and in-laws, they became furious and started abusing him. Vipin Sah dragged her and demanded Rs. 1,00,000/- as dowry. He also threatened that if the demand was not fulfilled, she would be subjected to assault and harm. When her father attempted to intervene and rescue her, Rajesh

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Sah, Ramji Sah, Manohar Sah, Vikas Sah, Prakash Sah, Modi Sah, Deepak Sah, Batasa Devi, Shobha Devi and Geeta Devi, assaulted the complainant and her father also. Her husband again assaulted her, while her mother-in-law, Batasa Devi wrapped a *Duppata* around her neck and attempted to strangulate her and other accused persons abused and assaulted her father. The accused persons refused to return the motorcycle, gold and silver ornaments and other articles given at the time of marriage. They ousted the complainant from her matrimonial home and threatened that they would kill her if their demand is not fulfilled.

SUBMISSION OF PETITIONERS

3. Learned counsel for the petitioners submitted that this is first bail application on behalf of these petitioners. No anticipatory or regular bail application has been filed earlier either before this Ld. Court or before Hon'ble High Court, Patna. The petitioners have no criminal antecedents. It is further submitted that petitioners are quite innocent and have been falsely implicated in this case with ulterior motive and dirty village politics. The entire case and allegation is false and fabricated as no such occurrence ever took place in the manner as alleged. The petitioners are father-in-law, mother-in-law and relatives of the informant who have got no concern with the informant. The petitioners neither committed any cruelty nor assaulted the informant in any manner. The informant always remained in Naihar and always told the petitioners to break the conjugal relation. The factual status is that on the said date no such occurrence ever took place as alleged, rather it is the informant who brutally assaulted and slapped her husband. There was no conjugal relation between informant and petitioner No. 01 from the very beginning of the marriage and the informant never liked her husband. There is no specific allegation against the petitioners in the FIR and it has been lodged just with the purpose to extort money, property and to harass the present

Ana

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petitioners. On these grounds prayed for anticipatory bail.

SUBMISSIONS OF STATE

4. Ld. PP in-charge vehemently opposed the prayer for bail.

DISCUSSIONS

5. Heard and perused the case diary. Petitioner Nos. 2 to 8 are in-laws of the victim. There is nothing specific against petitioner Nos. 4 to 8, except making statement that they were involved in the dowry demand and acts of cruelty. None of the witnesses have attributed overt act to these petitioners. No criminal antecedent is reported against the petitioners as per para No. 36 of the case diary.

However, the witness at para No. 2 clearly states that husband Vipin Sah caught hold of hair-locks and dragged victim and demanded Rs. 1,00,000/- towards dowry and when the father of the victim tried to rescue her, the rest of the accused attacked him. There is also specific allegation alleged by the informant that her mother-in-law Batasa Devi tried to strangulate the victim with the help of Duppata and reaffirmed the demand of dowry and told the victim that she will not be allowed to enter the house till the demand is not fulfilled. Witness at para No. 3 states that Batasa Devi, Rajesh Sah and Vipin Sah made demand of Rs. 1,00,000/- and stated that they will not accept his daughter, till their demand is met. Similar version is also been given by another witness, whose statement is extracted at para No. 5 of the case diary. Witness at para No. 8 states that when the father of the victim opposed the cruelty meted out to his daughter, Vipin Sah, Rajesh Sah and Batasa Devi entered into an altercation.

It is significant to mention that several attempts were made

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at mediation between the parties but the husband was not very forthcoming to join company of the wife.

6. Having regard to the overt acts and specific allegations against petitioner No. 1, 2 and 3, this court is not inclined to grant anticipatory bail to the husband, father-in-law and mother-in-law of the victim.

Hence, the prayer for bail qua **petitioner No. 1 Vipin Sah @ Vipin Gond @ Vipin Kumar Gond, 2. Rajesh Sah @ Sajesh Sah Gond and 3. Batasa Devi, is hereby rejected.** However the petitioner will be at liberty to take legal recourse before the Court below and the same shall be considered by the Ld. Magistrate in the light of the directions of the Hon'ble Apex Court with respect to conduct of proceeding in arising out of charges u/s-498A I.P.C. in *Md. Ashfak Alam Vs. The State of Jharkhand* (2023 INSC 660).

7. So far as the allegation with respect to petitioner No. 4 to 8 is concerned, the statement of witnesses recorded by the Investigating Agency and extracted in the case diary do not reveal anything specific upon these family members of the husband of the victim.

Result

8. Accordingly anticipatory bail petition filed by **petitioner No. 4. Ramji Sah @ Ramji Gond, 5. Prakash Sah @ Om Prakash Sah, 6. Manohar Sah @ Manohar Gond, 7. Geeta Devi and 8. Sobha Devi is hereby Allowed.** In the event of arrest or surrender of the petitioners within **30 days** from the date of communication of this order, the petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Court in

Sessions Judge, West Champaran at Bagaha, Camp Court

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seisin with **following conditions:**

- (i) One of the bailors shall be relative of the petitioners.
- (ii) Both the bailors shall provide their contact details- Mobile number/ Whatsapp number, e-mail id (if available) **with an undertaking on affidavit** that these contact details shall not be changed till disposal of this case..
- (iii) If any of the conditions are violated or facts stated in bail application are found false, the bail bonds of the petitioners shall be cancelled.

This order is dictated and corrected by me.

Anamika
04/06/2026

(Anamika T.)

Sessions Judge

West Champaran, Bagaha Camp Court

04.06.2026

Date of Order	04-06-2026
Date of Reserving Order	04-06-2026
Uploaded by	Ratnesh Tiwari, Stenographer, DJ Court