

In the court of Addl. Sessions Judge-II, Begusarai.
Presiding Judge: Brajesh Kumar Singh
A.B.A No- 750/2026
(Arising out of Nimachandpura P.S Case No-12/2004)

IN THE MATTER OF:-

Jai Prakash Rai, aged about 66 years, S/O-Late Mahesh Mahto, R/O-vill-Gachhi Tola,
Power House Road, Ward No-30, P.S-Town, District- BegusaraiPetitioner/Accused
Vs.

State of Bihar

.....Prosecution

Appearances:-

Sri Subhash Kumar Sinha, Ld. counsel for the Petitioner/Accused

Sri R.P. Yadav, Ld. Addl.P.P. for the state

ORDER

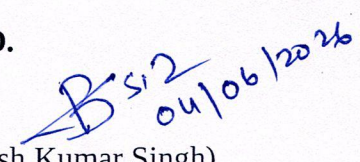
04.06.2026

1) The pre-arrest bail application under section 482 of the Bharat Nagrik Suraksha Sanhita ("BNSS") on behalf of the accused-petitioner, namely, **Jai Prakash Rai** has been preferred inasmuch as he has been apprehending his arrest in connection with Nimachandpura P.S Case No-12/2004, registered for the offences punishable under sections 406, 409, 420, 467, 468, 471 of I.P.C., pending in the court of Sri Ashutosh Kumar, Ld. J.M.F.C., Begusarai.

2) Ld. counsel for the petitioner has submitted that the petitioner was not aware of the case pending against him, hence approaching this court now. Ld. Addl.P.P has vehemently opposed the prayer of bail.

3) Without going into the merits, merely noting that this FIR bearing **Nimachandpura P.S Case No-12/2004** is the case lodged in 2004. Petitioner would not be allowed to contend that he was not aware of the lodgement of the FIR against him inasmuch as the law is 'deemed notice'. From the records, it appears that the petitioner has been evading from the processes of the court since two (2) decades. When he found that the situation is going out of his control, he is approaching this court now after twenty two (22) years. It is nothing but mockery of fair provisions of law. It appears that the petitioner-accused has made 'apprehension of being arrested' at bay for twenty two (22) years by exerting his influence. In this situation, the petitioner would be estopped from pleading that he has suddenly got the 'apprehension of being arrested'. The bonafide provision of anticipatory bail cannot be allowed to be misused as per the convenience of any party. Law does not favor an insincere litigant. The extraordinary relief of the anticipatory bail is an urgent and immediate relief, and not the relief after two (2) decades. The petitioner has to follow the regular procedure established by law. The discretionary relief of anticipatory bail cannot be conferred on such petitioner. Therefore, on this ground that this petitioner has approached this court after twenty two (22) years, managed to evade the judicial process for twenty two (22) years, and coerced the court to remain standstill for two decades because of his absence from the judicial proceeding, I am not inclined to grant the privilege of pre-arrest bail.

4) Consequently, the A.B.A. No-750/2026 is hereby **DISMISSED**.


(Brajesh Kumar Singh)
Addl. Sessions Judge-II,
Begusarai. 04.06.2026