

**In the Court of District & Add. Sessions Judge-II,
Jhanjharpur (Madhubani)**

Anticipatory Bail Petition No.-508/2025

1. Om Prakash Rai aged about 25 years S/o Rajendra Rai.
R/o P.S.- Ghoghardiha, District- Madhubani.

.....Petitioner

Versus

1. State of Bihar through Additional Public Prosecutor.

.....Opposite Party

Anticipatory Bail Petition Under Section 482 B.N.S.S.

For the petitioner/s	:	Shri Baleshwar Gurmait, Advocate
For the O.P. State	:	Shri Dev Shankar Jha, APP

ORDER

Dated: 21.05.2026

This anticipatory bail petition filed on 24.02.2026 under section 482 B.N.S.S. on behalf of the above named petitioner **Om Prakash Rai** who is apprehending his arrest in connection with **Ghoghardiha P.S. Case No. 100/2025** for the offence **under section 318(4), 664 of BNS** which is pending in the court of Shri S. Rahman, JMFC, Jhanjharpur, is being pressed, and heard.

The prosecution case in brief goes like that the informant of this case is Usha Kumari and she stated that for the past three years, she has been in a love affair with Om Prakash Rai. Om Prakash Rai's sister's in-laws lived next door to her. He would regularly visit her village, and meet with her. Under the pretense of a love marriage, Om Prakash Rai had physical relations with her several times over the past three years, against her will. Whenever she asked him to marry her, he would make excuses, and promise to marry her soon. But now he is flatly refusing to marry her. He is saying that he will not marry, until he get an Apache motorcycle, and two lakh rupees in cash from her parents as dowry. On 02.03.2025, she told him that her parents are dead, and uncle is raising her. So from where will they be able to give dowry in such a situation. Then they started abusing her, kept distance from her, and also stopped talking to her. She

informed her uncle and aunt about this. Finally on 23.03.2025 at 2PM her uncle Vishnu Rai, along with some of his close people reached the house of the aforesaid Om Prakash Rai, and met Om Prakash Rai and his father Rajendra Rai. They complained about the love affair, deceitful affair, demand of a motorcycle, and two lakh rupees in dowry, and refusing to marry after insisting on it. Then all four men became furious, and clearly said that unless you give an Apache motorcycle, and two lakh rupees in cash in dowry, they will not let them go. It is not possible to have a marriage. The above four accused started abusing her uncle Vishnu Rai, and all the people who had accompanied him, pushed them out of their door, and said that if they come to our door again without fulfilling the dowry demand, their lives will be in danger. Hence, this case.

Learned Counsel of petitioner accused has submitted that no other regular, or anticipatory bail, application filed on behalf of petitioner either before sessions court, or before Hon'ble High Court, Patna. Petitioner has no criminal antecedent. Petitioner accused is quite innocent, and has committed no offence at all. Petitioner has falsely been implicated in this case. The offences alleged are cognizable and non-bailable. That this case has been lodged by the informant to pressurize the petitioner to marry with informant. No specific allegation is against the petitioner. There is also delay in F.I.R. Nothing incriminating material has been recovered from the possession of the petitioner. It is further stated that the case has been compromised between the parties, and compromised petition has been submitted. Accordingly, he prays to grant anticipatory bail to the accused petitioner.

Learned APP had opposed the prayer of anticipatory bail, but conceded that compromise had taken place between the parties.

Heard the argument and perused the record. Petitioner do not bear any criminal antecedent. Here it is important to mention that both informant, and petitioner were present in the Court, and had supported the factum of compromise. Moreover, they are now married, and are living their matrimonial life in bliss. Considering all these facts and circumstances, this Court find this to be an apt case for grant of anticipatory bail. Hence, anticipatory bail petition of petitioner namely **Om Prakash Rai** is hereby **allowed**. It is hereby ordered that in the event of surrender or arrest before the Court below/concerned police within 30 days from the date of receipt of a copy of this order, the petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten

Thousand) with two sureties of the like amount each to the satisfaction of the learned court below/police subject to the condition under the provision of section 482(2) BNSS. Further, with condition that at the time of filing his bail bond petitioner shall furnish an undertaking that:

- a) He shall keep his wife in good care.
- b) One of the bailor of the petitioner shall be his blood relative.
- c) Further, the petitioner shall appear before trial court concerned along with his wife/informant, on each and every date. If the informant complains regarding anything of torture/harassment meted out by the hands of petitioner, the petitioner bail bond shall be canceled.

Dictated

Sd/-

**Addl. Sessions Judge-II,
Jhanjharpur**

Memo No...../2026, Dated:.....

Copy of order forwarded to the court of Shri. S. Rahman, J.M.F.C, Jhanjharpur for information and needful.

**Addl. Sessions Judge-II,
Jhanjharpur**