

In the Court of Additional Sessions Judge-V, Muzaffarpur
Regular Bail Petition No. 470/2026
(Arising out of Ahiyapur P. S. Case No. 1789/2025)

In the matter of:

1. Om Prakash Rai S/o Mahendra Rai,
Resident of Village- Dadar, P. S.- Ahiyapur, District - Muzaffarpur
.....Petitioner

Versus

State of Bihar : Opposite Party

Appearance(s)

Counsel for the Petitioner(s) : Anil Kumar, Advocate

Counsel for the Informant : Vinod Kumar Sharma, Advocate

Counsel for the State : Sadhusaran Prasad, Addl. PP.

Present: Suman Kumar Divakar
Bihar Superior Judicial Service

Order

05-05-2026

1. The Petitioner is praying for regular bail in connection with Ahiyapur P. S. Case No. 1789/2025 registered for the offences under section 80, 3(5) of Bhartiya Nyay Sanhita, 2023 (hereinafter referred to as 'BNS' for short) and Section 4 of Dowry Prohibition Act, 1961. The Petitioner has been in custody since 16.02.2026.
2. Briefly stated, there is an allegation against the Petitioner that he along with co-accused persons caused death of Neha Kumari (since deceased) by setting her on fire for non-fulfilment of demand of dowry and further, within seven years of marriage. The deceased was married with accused Shatrudhan Kumar. The present Petitioner happens to be bhaisur of the deceased.
3. Learned Counsel for the Petitioner submits that he is an innocent. He was not present at his house at the time of the occurrence. He is living separately from his brother. He has one criminal antecedent. He further submits that the deceased has died after catching fire while cooking food in the kitchen. In this backdrop, he prays for bail.

4. Learned Additional Public Prosecutor has opposed the prayer so made on behalf of the Petitioner.
5. Heard the parties. Considered the submissions. Perused the material on record including case diary (attached with TCR). It appears from the FIR that the Petitioner is named therein. Furthermore, it appears that the incident occurred in the house of the accused persons. The post-mortem report demonstrates that the deceased has died by reason of burn caused by flames of fire. The police has found true against the present Petitioner and filed the charge sheet against him.
6. Thus, in view of above and furthermore, considering the nature and gravity of the offence coupled with punishment provided therein, I am not inclined to enlarge the Petitioner on bail. In the result, the present petition stands **dismissed**.

(Suman Kumar Divakar)
Additional Sessions Judge-V
Muzaffarpur

Date of Judgement/Order	05.05.2026
Date of reserving Judgement/Order	05.05.2026
Uploading Date	06.05.2026
Uploaded by	Bambam Kumar Jha, Stenographer