

IN THE COURT OF 01st DISTRICT & ADDITIONAL SESSIONS JUDGE
ROHTAS AT SASARAM
ANTICIPATORY BAIL PETITION NO. 2807 of 2025
Arising out of Sasaram(Town) P.S. Case No. 908 of 2025
Under Section 115(2), 126(2), 85 of Bharatiya Nyaya Sanhita,2023 & 3,4 of Dowry Prohibition Act, 1961.

IN THE MATTER OF:-

1. Amit Kumar , Aged about 35 years

S/o- Surendra Ray

2. Surendra Ray, Aged about 68 years

S/o- Ram Naresh Ray

3. Shyama Devi alias Shyamrajo Devi, Aged about 67 years

W/o- Surendra Ray

All R/o- Village-GopalPur, P.s.- Shivsagar, District-Rohtas

.....
Petitioners.

Versus

The State of Bihar

.....
Opposite Party.

For the Petitioner : Mr. Abhishek Pratap Singh, Ld. Advocate.

For the O. P. (State) : Mr. Upendra Kumar, Ld. P.P.

ORDER

26.03.2026 This **pre-arrest bail** has been preferred u/s 482 of Bharatiya Suraksha Nagrik Sanhita, 2023 (438 Cr.P.C.) on behalf of the above noted accused persons apprehending arrest in connection with Sasaram(Town) P.S. Case No. 908 of 2025 for the offence under Section 115(2), 126(2), 85 of Bharatiya Nyaya Sanhita,2023 & 3,4 of Dowry Prohibition Act, 1961. The parties have already been heard. The matter is posted today for order. The order follows:-

The learned counsel for petitioners/accused persons reading out the contents of F.I.R., has submitted that the petitioners are innocent and have been falsely implicated in this case over minor matrimonial disputes between the husband and wife and allegations against mother-in-law Shyama rajo devi alias shyama Devi, father-in-law Surendra Ray and elder brother-in-law amit kumar are general, omnibus and non-specific, with no clear over act assigned to any of them individually. He further added that F.I.R. does not disclose any specific injury, medical report or details to substantiate the allegations of assault and mother-in-law and father-in-law are elderly persons with deep social roots, and the elder brother-in-law is a separate earning member and this case has only been registered against the accused persons/petitioners by the informant to pressurize the petitioners and her husband to yield illegal demands. He further added that the husband of the informant has already filed a petition in the court of Id. Prinicpal Judge, Rohtas at Sasaram for the restitution of conjugal rights and the husband of the informant loves his wife as well his daughter who is in custody of the informant, dearly and wants to keep his wife will full dignity and honour. He further submitted that petitioners are law-abiding citizen having no criminal antecedents and they undertake to cooperate fully with the investigation and to appear before the investigating officer whenever required and the petitioners apprehend that their arrest may be used as a tool of harassment due to personal rivalry and group enmity and the petitioners are law-abiding citizen and are ready to furnish sureties to the satisfaction of this Id. Court and prayed to enlarge the petitioners on pre-arrest bail.

Per contra, the Ld. P.P appearing for the State has opposed the prayer for pre- arrest bail submitting that the allegation is direct against the accused persons / petitioners and serious in nature. Hence, prayed to reject it.

In the backdrops of such contents of the Id. Counsel for the parties, it goes to trickles down that it is a case registered under section 115(2), 126(2) and 85 of Bharatiya Nyaya Sanhita,2023 and under section 3,4 of Dowry Prohibition Act, 1961 against the husband, brother-in-law, father-in-law and mother-in-law of the victim. It is not needless to mention that the legal wedlock

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solemnized on 09.02.2024 between one of the co-accused sumit rai and the informant runi rai and such case had lodged which shaped into such F.I.R. on 05.12.2025, after the elapsation of more than one and half years of such solemnization of marriage. The steps were taken during the course of proceedings before this court in order to see an amicable settlement between the parties as the issues have been risen to this court because of marital discord between the parties and the matter was sent to the mediation centre, under the umbrella of District legal and Services Authority, Rohtas at Sasaram but was returned to this court without any fruitful result. The parties appeared before this court but it went in vain. The approach of in-laws who have applied for pre-arrest bail before this court who were seen in readiness to reach the state of amicable settlement between informant of this case and her husband. It is bitter to see that the informant have a female child in her lap who has to face new challenges in this world in the state wherein the marital milieu is in hot water. The prayer of bail of the husband is yet to be placed. The petitioner no.2 and 3 are the old aged in-laws over the age of 60 years and the allegation against them, as found in the F.I.R., which is a typed one, reveal the general and omnibus allegation against these in-laws and petitioner no. 1 is the brother-in-law(the elder brother of the main culprit) and shown readiness to see amicable settlement between the members of the wedlock in trouble. It does hardly appear to this court that leaving these in-laws behind the bar is the only way to try the matter before the trial court. With such observations a warning chance as the petitioners role are still on to reach to the amicable settlement between the husband and the victim of this case on furnishing bail bonds of worth of Rs. 10,000/- with two sureties each of the like amount, in the event of their arrest or surrender, before the Court in seisin of original record, to its satisfaction, within a period of fortnight from the date of this order with further condition to be under taken, at the time of furnishing of bail bonds, u/s 482 (2) of B.N.S.S.,2023. Furthermore, this court is allowing the such prayer bearing in mind that they will continue to play the desired role in order to see as to how the two youngsters (husband and wife) may come closer again and live a peaceful life in order to ensure better life of their progeny, took birth from such legal wedlock, if they fail the court in seisin may hear the prosecution again on the issue of bail, and differ as well, in accordance with law. Accordingly, the pre-arrest bail is allowed.

(Dictated)

(Illegible)

(Pankaj Mishra)

1st District & Additional Sessions Judge,

Rohtas at Sasaram

26.03.2026

Date of judgement/order	26.03.2026
Date of reserving judgment/order	18.03.2026
Uploading date	30.03.2026
Uploaded by	Prabhash Kc.