

In the Court of **PUNEET KUMAR GARG**, Sessions Judge, Saran at Chapra  
**ABP No. 266 of 2026 (Akilpur P.S. Case No. 50/2024)**  
Rakesh Rai & Ors. V/s State of Bihar

**ORDER**

S.No.	Date	Contents	Remarks
01	25.03.2026	<p>1. Heard learned counsel for the petitioners-accused as well as learned Public Prosecutor representing the State on anticipatory bail petition of petitioners-accused, namely, (i) <b>Rakesh Rai</b>, (ii) <b>Urmila Devi</b>, (iii) <b>Vikash Rai</b>, (iv) <b>Shailesh Rai</b>, (v) <b>Sonu Rai</b>, (vi) <b>Nisha Devi</b> &amp; (vii) <b>Pooja Kumari</b>, apprehending their arrest in this Akilpur P.S. Case No. 50/2024, registered under Sections 498A &amp; 304B r/w 34 of the IPC, pending in the Court of <i>Shri Gaurav Kumar</i>, learned JMFC, Saran at Chapra.</p> <p>2. A complaint petition no. 559 of 2024 has been filed by the complainant, namely, <i>Chunmun Devi</i> stating that her daughter <i>Shilpi Kumari</i> was married to accused no.1 on 18.02.2022, and after marriage, she was subjected to cruelty and harassment by these petitioners-accused along with three unknown for demand of dowry. It is alleged that all the accused persons used to torture her physically and mentally and demanded a sum of Rs. 5,00,000/- for purchase of a tractor. It is further alleged that despite the poor financial condition of the family, the demand could not be fulfilled, due to which the harassment continued. The complainant has alleged that on the alleged date of occurrence, information was received that the accused persons were assaulting her daughter and had hatched a plan to kill her. Upon reaching the matrimonial house, the complainant found her daughter lying dead with injuries, suggesting that she had been killed by the accused persons. It is also alleged that the accused persons caused disappearance of evidence by hurriedly cremating the dead body and also assaulted and threatened the informant side. The accused persons are alleged to have committed offences of dowry demand, cruelty, murder and causing disappearance of evidence.</p> <p>3. It is contended on behalf of learned counsel representing the petitioners-accused that they are quite innocent, have not committed any offence as alleged in the FIR, and have falsely and wrongly been implicated in this false case out of grudge. Next added that no any regular or anticipatory bail petition has been filed or moved on behalf of the petitioners-accused prior to this either in this Court or any Court of law in connection with the present case. The petitioners-accused have no criminal antecedent, except this one. Next added that the allegations levelled against the petitioners-accused are totally false, baseless and concocted. The ingredients of sections in which the case has been registered are not attracted at all in this case. All the petitioners-accused were keeping <i>Shilpi Kumari</i> with proper care and affection, but all of a sudden, she suffered from severe abdominal pain; the petitioners-accused called the local doctor for her treatment, but unfortunately she passed away. The <i>naihar</i> people of the deceased also came and participated in her cremation as well as <i>Shraaddh Karm</i>, but at the instance of villagers, the complainant filed this case having false and baseless allegations. Further asserted that now the case has been compromised between the parties and a compromise petition, duly signed by both the parties, has also been annexed with this bail petition. Further submitted that the petitioners-accused are ready to</p>	

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	<p>furnish sureties as required by the Court. Therefore, it is prayed that the petitioners-accused may be enlarged on anticipatory bail.</p> <p>4. Per contra, learned Public Prosecutor representing the State vehemently opposed the prayer for anticipatory bail of the petitioners-accused.</p> <p>5. Heard both the sides and perused the relevant materials available on record. From perusal of the materials available on record, it appears that there is a delay of about 12 days in filing of the complaint petition and no satisfactory explanation has been brought on record for such delay, which <i>prima facie</i> creates doubt regarding the prosecution story. It further appears from paragraph 11 of the case diary that an independent witness has not supported the prosecution case. It is also apparent that the parties have entered into a compromise and a compromise petition has been brought on record.</p> <p>6. Considering the facts and circumstances of the case, the nature of accusation, the materials available on record, the effect of delay in lodging the complaint, lack of support from an independent witness, the compromise between the parties, and the absence of criminal antecedent, this Court is of the view that custodial interrogation of the petitioners-accused does not appear necessary. Accordingly, this Court is inclined to allow the prayer for anticipatory bail.</p> <p>7. Accordingly, this <b>Anticipatory Bail Petition</b>, bearing <b>No. 266 of 2026</b>, is hereby <b>allowed</b>. In the event of their arrest or surrender within one month from this order, the petitioners-accused, namely, (i) <b>Rakesh Rai</b>, (ii) <b>Urmila Devi</b>, (iii) <b>Vikash Rai</b>, (iv) <b>Shailesh Rai</b>, (v) <b>Sonu Rai</b>, (vi) <b>Nisha Devi</b> &amp; (vii) <b>Pooja Kumari</b>, be released on bail on furnishing bail bonds of <b>Rs. 50,000/- each with two sureties</b> of the like amount each to the satisfaction of the learned Court concerned subject to the conditions as laid down u/s 482(2) of B.N.S.S., 2023 :-</p> <p>(I) That the petitioners shall make themselves available for interrogation by I.O., as and when required,</p> <p>(II) That the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to the I.O. of the case,</p> <p>(III) That the petitioners shall not leave India without the previous permission of the Court,</p> <p>(IV) That the petitioners are directed to co-operate in trial and disposal of the case.</p> <p>[Dictated]</p> <p><b>(Puneet Kumar Garg)</b>, Sessions Judge, Saran 25.03.2026</p>	