

In the Court of **Puneet Kumar Garg**, Sessions Judge, Saran at Chapra
Anticipatory Bail Petition No. 4531 of 2025 (Maker P.S. Case No. 246/2025)

Deepak Kumar Rai V/s State of Bihar

ORDER

S.No.	Date	Contents	Remarks
01	30.03.2026	<p>1. Heard learned counsel representing the petitioner-accused as well as learned Public Prosecutor representing the State on anticipatory bail petition of petitioner-accused, namely, Deepak Kumar Rai, apprehending his arrest in this Maker P.S. Case No. 246/2025, registered under Sections 115(2) & 25 r/w 3(5) of the BNS.</p> <p>2. FIR of this case has been registered on the basis of a typed application of the informant, namely, <i>Sunita Kumari</i>, stating that she was married to the petitioner-accused on 11.03.2011 according to Hindu rites. At the time of marriage, her father gave dowry as per his capacity, including about Rs.8 lakh in cash, gold ornaments, furniture, utensils and other household articles. After marriage, she started living in her matrimonial home. She gave birth to a child, but the child died after three months during treatment, and thereafter she could not conceive again. It is alleged that due to non-birth of another child, the petitioner-accused, father-in-law <i>Nagendra Rai</i> and mother-in-law <i>Kalawati Devi</i> started harassing and torturing her mentally and physically. They allegedly pressured her husband to declare her mentally unsound and divorce her, stating that no child would be born from her. The accused persons also demanded additional dowry and subjected her to cruelty. On 26.05.2025, all the accused allegedly assaulted the informant and kicked her, causing pain in her abdomen and legs, for which she took treatment at <i>IGMS, Patna</i>. It is further alleged that her husband (petitioner-accused) threatened to kill her and also threatened to commit suicide. He also threatened that if she did not leave the matrimonial house, he would kill her and dispose of her body. The petitioner-accused further filed a divorce case in Family Court by falsely alleging that she is mentally unsound, and expressed his intention to contract a second marriage. The informant has further alleged that the accused persons are of criminal nature and her husband's name is involved in several criminal cases at <i>Derni</i> and <i>Maker</i> police stations. Due to continuous threats and apprehension of serious occurrence, she left her matrimonial house and went to her parental home.</p> <p>3. It is contended on behalf of learned counsel representing the petitioner-accused that he is quite innocent and has not committed any offence as alleged in F.I.R. Next contended that earlier no ABP or regular bail has been filed on behalf of the petitioner-accused in this Court or Hon'ble High Court, Patna in connection with the present case. Next added that the petitioner-accused has got two criminal antecedent except this one. Next added that the informant has given written application against the petitioner-accused before <i>Maker Police</i> after receiving the notice of Divorce <i>vide Divorce Case No. 250/2025</i>. Next asserted that the petitioner-accused is the husband of the informant and she went to her parental house without any consent of the petitioner-accused. Next contended that the informant was seriously ill, the petitioner-accused took her for treatment to <i>Nagendra Prasad Medical College and Hospital, Patna</i>. The petitioner-accused has never demanded any kind of dowry from the informant. Further</p>	

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	<p>submitted that the petitioner-accused is ready to furnish sureties as required by the Court. Therefore, it is prayed that the petitioner-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 petitioner-accused.</p> <p>5. Heard both the sides and perused the relevant materials available on record. From the same, it appears that the present case arises out of a matrimonial dispute which has amicably been settled between the parties through mediation. As per the settlement, the husband has agreed to pay a full and final amount of Rs. 5,50,000/- to the wife/informant towards maintenance, after which no dispute or claim remains between them. The matter is purely personal in nature and no longer survives. Furthermore, the petitioner-accused is ready to comply with all terms of the agreement and cooperate with the court proceedings.</p> <p>6. So, considering the facts and circumstances of the case, the successful mediation between both the parties, and the reasons mentioned herein-above, this Anticipatory Bail Petition, bearing No. 4531 of 2025, is hereby allowed. In the event of his arrest or surrender within one month from this order, the petitioner-accused, namely, Deepak Kumar Rai, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties 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 petitioner shall make himself available for interrogation by I.O., as and when required,</p> <p>(II) That the petitioner 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 petitioner shall not leave India without the previous permission of the Court,</p> <p>(IV) That the petitioner is directed to co-operate in trial and disposal of the case.</p> <p style="text-align: right;">[Dictated]</p> <p style="text-align: right;">(Puneet Kumar Garg), Sessions Judge, Saran 30.03.2026</p>	