

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2418 of 2025

Arising Out of PS. Case No.-28 Year-2024 Thana- MATIHANI District- Begusarai

Rishi Kumar, Son of Raju Das @ Rajo Das Resident of Village/ Mohalla-
Shankar Pur, Bakhadda, Ward No. 13, P.S.- Matihani, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 08-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Matihani P.S. Case No. 28/2024, arising out G.R. No. 797/2024 registered on 04.03.2024 for the offenses punishable under Sections 363, 366A and 34 of the Indian Penal Code.

3. As per the prosecution's case, the petitioner is alleged to have kidnapped the daughter of the informant with the intention of marrying her.

4. It is submitted by the learned counsel for the petitioner that the petitioner is innocent and has not committed any offence. It is further submitted that the petitioner has a clean antecedent. The learned counsel states that the victim has



already been recovered and has voluntarily appeared before the police, wherein she categorically stated that no one had lured or forced her to accompany him, and she left her house of her own. It is also submitted that the denial of bail is likely to jeopardize the petitioner's academic and professional career.

5. On the other hand, the learned Additional Public Prosecutor (APP) for the State strongly opposes the prayer for bail. It is submitted that the statements of the victim, recorded under Sections 161 and 164 of the Cr.P.C., have been duly noted by the learned Sessions Judge in the order sheet. The learned APP further submits that the case diary reveals that the victim went to Kolkata at the instance of the petitioner. It is also pointed out that in her statement recorded under Section 164 Cr.P.C., the victim stated that the petitioner took her to Kolkata and later left her at the railway station.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Matihani P.S. Case No. 28/2024, arising out G.R. No. 797/2024, pending before the learned Judicial Magistrate, 1st Class, Begusarai, is hereby rejected.

7. However, it is directed that the petitioner shall



surrender before the Trial Court within a period of six weeks from today. In case the petitioner surrenders within this period, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioner’s anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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