

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15965 of 2025

Arising Out of PS. Case No.-76 Year-2024 Thana- MAHILA P.S. District- Lakhisarai

Rupesh Kumar Son of Suresh Saw Village -Makuna PS- Kabiya, Dist-
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Lakhisarai Mahila P.S. Case No.76 of 2024 lodged on 24.11.2024, for the offences punishable under Sections 126(2)/115/74 of the BNS.

3. As per the prosecution, the F.I.R. has been lodged against the petitioner with allegation that he has tried to outrage the modesty of the informant and anyhow, she saved her prestige at the hand of the accused.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He further submits that the petitioner and informant are aunty and nephew. He further submits that the said occurrence has alleged to be taken place on 17.11.2024, but F.I.R. has been lodged on 24.11.2024 and delay has not been explained.

5. Counsel further submits that the petitioner has unnecessarily been made accused in this case. He further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Counsel submits that the criminal antecedent of the petitioner is clean. He further submits that under section 74 of the BNS, punishment is of a term of at least one year, cognizable and bailable.

7. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the allegation is specific against the petitioner, but the F.I.R. has been delayed. He further submits that section 74 of the BNS is triable before magistrate.

8. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand)



as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of S.D.J.M., Lakhisarai in connection with Lakhisarai Mahila P.S. Case No.76 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

9. It is made clear that in future, if the said event shall be repeated by the petitioner, then in that case, his bail bond shall be cancelled.

(Dr. Anshuman, J.)

Prakashmani/-

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