

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22517 of 2025

Arising Out of PS. Case No.-11 Year-2022 Thana- JAMOBABAZAR District- Siwan

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Dinesh Kumar @ Dinesh Yadav S/o Mahanth Yadav R/o village - Jogapur
Kothi, P. S - Jamo Bazar, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 02-07-2025 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 ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Jamo Bazar P.S. Case No. 11 of 2022, lodged on 23.01.2022, under Sections 363/366A/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against the petitioner and others alleging therein that they have kidnapped the informant’s daughter with a view to marry.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that petitioner is a man of clean antecedent. The victim has been recovered and statement under Section 164 Cr.P.C. she has disclosed that she went with consent and no force has been committed upon her. It has also been submitted that the said victim was not ready for medical examination and as such petitioner be directed to be released on anticipatory bail. He submits that petitioner is ready fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that in the rejection order it has come that statement under Section 161 Cr.P.C. the victim has stated that wrong work with force has been done against her by the petitioner but under Section 164 Cr.P.C. she has not narrated so.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail. Hence, the prayer for anticipatory bail of petitioner is hereby rejected. However, in the event of surrender of the petitioner within four weeks from today, the prayer for regular bail shall be considered same day on the materials available on record including the age of the



petitioner and statement under Section 161 and 164 Cr.P.C. as well as non-examination by the doctor.

(Dr. Anshuman, J)

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