

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30422 of 2025

Arising Out of PS. Case No.-231 Year-2024 Thana- BARIYARPUR District- Munger

Sumit Kumar S/o Gainu Yadav @ Ganesh Yadav R/o Village- Ramankabad,
P.S.- Haveli Kharagpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-05-2025 Heard Learned counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Bariyarpur P.S. Case No. 231 of 2024 lodged on 20.10.2024, for the offence punishable under Sections 137(2) & 87 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against five named accused persons including the present petitioner against whom there is an allegation that they have kidnapped the informant's daughter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that petitioner is handicapped person and he is not in a position to walk without support. Counsel submits that the victim girl herself returned home. Counsel further submits that



petitioner has no criminal antecedent.

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 of victim is recorded U/s 180 and 183 of the B.N.S.S 2023 in which victim has fully supported the case of prosecution and the concerned I.O. has found the age of victim as 14 years.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if petitioner surrenders before the Trial Court within a period of six weeks from today, then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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