

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47128 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- SHANKARPUR District- Madhepura

Akhilesh Yadav @ Kumar S/o Late Satyanarayan Yadav Resident of Ward
No. 09, Bhaluwaha, P.S.- Shankarpur, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-07-2025 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 Shankarpur P.S. Case No. 62 of 2025, lodged on 06.04.2025, under Sections 126(2) /115(2) /329(3) / 64/351 (2)/351(3) of B.N.S., 2023.

3. As per the prosecution, FIR has been lodged against the petitioner to rape forcefully in presence of daughters of the informant. Her husband was living in Punjab.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits



that from the FIR it becomes crystal clear that the case has been lodged after delay of 14 days. He further submits that the content of the FIR is very much clear that the physical relation of the informant and the petitioner was developed since long. He submits that due to transaction of money the dispute has arisen and this false case has been lodged. He submits that case-diary may be called for and upon perusal of the case-diary case may be decided.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that allegation is specific in the FIR against the petitioner and the allegation made is of such nature that delay FIR is of no value.

6. Considering the nature of allegation against the petitioner, the prayer for anticipatory bail of the petitioner is hereby refused. However, in the event of surrender of the petitioner within six weeks from today, the prayer for regular bail shall be considered on its own merit, in course of the day, without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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