

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56016 of 2025

Arising Out of PS. Case No.-141 Year-2025 Thana- KESARIA District- East Champaran

Vivek Kumar Son of Jay Bharat @ Jay Bharat Sah Resident of Village -
Benipur, P.S.- Kesariya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s : Mrs. Rina Sinha. APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Kesariya P.S. Case No. 141 of 2025, dated 18.04.2025, lodged under Section 108 of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”), pending before the Court of Chief Judicial Magistrate, East Champaran, Motihari.

3. As per the prosecution, the petitioner established a physical relationship with the daughter of the informant on the pretext of marriage, and later, she committed suicide.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner has a clean criminal antecedent. It is also submitted that the petitioner is a neighbour of the informant



and he never had any physical relationship with the informant's daughter (deceased). He also submits that she committed suicide due to a family dispute.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the allegations are serious in nature, and there are direct and specific allegations against the present petitioner.

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

7. It is directed to the petitioner to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioner surrenders within six weeks, then 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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