

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70192 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- GADHA District- Sitamarhi

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Kishan Kumar S/O Late Ram Aadhar Das @ Late Ramakant Das R/O
Village- Gadha (Garha), P.S- Gadha (Garha), Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Kumari W/O Ajay Paswan R/O Village and P.O- Bahilwara
Dhanushi Gadha, P.S- Runisaidpur, Distt.- Sitamarhi, PIN Code- 843323.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Parwej Khan, Advocate
For the State : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-11-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 96, 137(2)
and 3(5) of the B.N.S..

3. As per prosecution case, it is alleged that this
petitioner, along with other F.I.R. named accused persons,
kidnapped the minor daughter of informant.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is quite innocent and has
committed no offence. Petitioner is not named in the F.I.R.. The
present F.I.R. has been lodged after inordinate delay of four



days and there is no plausible explanation for the same which itself makes the entire prosecution case doubtful. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that during course of investigation, the victim was recovered and in her statement recorded under Section 183 of the B.N.S.S., she has supported the prosecution case and has categorically stated that this petitioner, along with other accused persons, kidnapped her and forcibly established physical relations with her. The learned trial court has assessed the age of victim as 17 years.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation, gravity of offence and statement of the victim recorded under Section 183 of the B.N.S.S., the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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