

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77357 of 2025

Arising Out of PS. Case No.-266 Year-2024 Thana- ISUAPUR District- Saran

Deepak Kumar Mishra @ Deepak Mishra S/o- Hari Kishor Mishra Village-
Dhanar PS-Baniyapur Dist- Saran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Nitish Kumar Singh S/o- Late Brahma Singh R/v- Gamhariya Ps- Isuapur
Dist- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajeev Kumar
For the Opposite Party/s	:	Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 12-12-2025 1. Heard the parties.

2. This is second anticipatory bail application filed by the petitioner who apprehends his arrest in connection with Isuapur P.S. Case No. 266 of 2024 dt: 02.12.2024 registered for the offence under Section 137(2) / 96 of the B.N.S.

3. The prosecution case as per the F.I.R. is that on 14.11.2024 at about 07:00 P.M. the informant's sister namely Poonam Kumari aged about 17 years 10 months went to attend nature's call and when she did not return after long time the informant and his family members started searching her. In the meanwhile they got information that the petitioner who is professionally driver has taken her away on motorcycle. When the informant and his



family members went to the house of the petitioner to enquire about the same the informant and his family members abused and assaulted by Harikishor Mishra (father) and Baby Devi (mother) and other family members. It has further been alleged that informant believes that her minor sister has been kidnapped by the petitioner and other persons and their family members have helped them.

4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and has falsely been implicated in the present case out of grudge and village politics. There is delay of 18 days in lodging the First Information Report without any proper explanation which shows that prosecution story is false and concocted one. He next submits that victim girl in her statement recorded under Section 180 of the BNSS has disclosed her age as 18 years and has stated that on the date of occurrence she had herself gone to her nanihal (maternal home) in Assam. He further submits that victim girl was in love relationship with the petitioner and therefore both the petitioner and the informant's sister has performed marriage in a temple on 09.01.2025 and notice of their marriage has been published through notary public as would be evident from Annexure -P/3.



5. Having considered the submissions advanced by the petitioner, taking into account the fact that petitioner tried to argue the matter afresh on certain grounds and this Court at the time of hearing of first anticipatory bail application took all the relevant factors into consideration and thereafter rejected the prayer for bail on merit, as such, I am not inclined to entertain the second anticipatory bail application filed by the petitioner on certain grounds placed for the second time. Accordingly, the same is rejected.

(Anil Kumar Sinha, J)

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