

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2633 of 2026

Arising Out of PS. Case No.-228 Year-2016 Thana- KHAJEKALA District- Patna

Prabhat Kumar Srivastava @ Janu @ Prabhat Kumar Shrivastav @ Prabhat Kumar, Son of Dilip Kumar Sinha, Resident of Village - Dundi Bazar, Police Station - Chowk, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Khajekalan P.S. Case No. 228 of 2016 registered for the offences under Sections 363, 366, 504, 506, 34 of the Indian Penal Code.

3. The prosecution case is to the effect that the informant has alleged that his wife, namely, Ruchi Sinha had gone away somewhere. It is further alleged that on search the informant came to know that one Prabhat Kumar Srivastava @ Janu @ Prabhat Kumar Shrivastav (petitioner) used to talk with his wife and on inquiry the petitioner found that the mobile phones of his wife as well as the petitioner was switched off and



thereafter the present case was lodged on 06.09.2016.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated and in fact the wife of the informant had gone along with the petitioner out of her own sweet will. It has further been submitted that the victim had gone along with the petitioner to various place including hotels where she has gave her identity proof and stayed with the petitioner on her own will and subsequently in her statement under Section 164 of Cr.P.C. she has made wrong statements on the influence of her family. It has been stated that the petitioner has been made an accused in the present case on false pretext and therefore he may be granted anticipatory bail.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail and has stated that the case was lodged in the year 2016 and the petitioner was a named accused and it was specifically alleged that he was the person involved in kidnapping of the wife of the informant. It has further been submitted that the wife of the informant in her 164 Cr.P.C. statement has categorically stated that the petitioner had kidnapped her and even committed rape upon her.

6. Considering the aforesaid submissions and also taking into account the fact that the case is of the year 2016 and



the petitioner has preferred the bail application before the learned Principal District and Sessions Judge, Patna in the year 2025, I am not inclined to grant anticipatory bail to the petitioner.

7. The application for anticipatory bail of the petitioner is rejected.

(Sourendra Pandey, J)

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