

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7015 of 2026

Arising Out of PS. Case No.-227 Year-2025 Thana- FATUA District- Patna

Rishu Kumar son of Navin Ram Resident of village- Sonaru P.S-Fatua,
District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Kant Kumar @ Srikant Sharma Son of Sri Prasad Sharma @ Sri Prasad Singh Resident of village-Sonaru P.S-Fatua, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 22-04-2026 Heard learned Counsel for the petitioner, learned
Counsel for Opposite Party No.2 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 Fatua P.S. Case No. 227 of 2025, lodged on 26.03.2025, under Sections 96/126(2)/115(2)/352/3(5) of the Bhartiya Nyay Sanhita, 2023, pending in the Court of learned ACJM-II, Patna City.

3. As per the prosecution, the FIR has been lodged



against two named accused persons including the present petitioner with allegation that the petitioner has kidnapped the minor daughter of informant.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that from perusal of the FIR, the allegation made against the petitioner is merely on suspicion. Counsel submits that the victim came back to her house after four days. Counsel submits that antecedent of the petitioner is clean and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that on the previous occasion case diary and the statement of the victim recorded under Section 183 Bharatiya Nagarik Suraksha Sanhita, 2023 were called for.

6. It transpires that the statement of the victim under Section 183 BNSS has come, in which the Court has ascertained the age of the victim as minor and the victim alleged that rape has taken place.

7. Considering the nature of allegation against the petitioner, this Court is not inclined to grant anticipatory bail to



the petitioner. Hence, the prayer for anticipatory bail of the
petitioner is hereby refused.

(Dr. Anshuman, J)

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