

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15808 of 2026

Arising Out of PS. Case No.-203 Year-2025 Thana- RUPAULI District- Purnia

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Anoj Kumar @ Anuj Kumar Son of Subodh Yadav @ Boku Yadav Resident
of village- Maini, Yadav Nagar, Ward No 5, PS- Rupauli, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Rupuali P.S. Case No. 203 of 2025, dated 29.11.2025, lodged under Sections 104(4), 70(1), 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”), pending before the Court of ACJM-II, Purnea.

3. As per the prosecution, the FIR has been lodged against two named accused persons, including the present petitioner, alleging that both the accused persons committed rape upon the informant (victim).

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



further submits that the antecedents of the petitioner are clean. He further submits that the informant (victim) is a major girl and was having a love affair with one of the co-accused, namely, Bhantun Kumar. He further submits that the petitioner neither kidnapped nor committed rape upon the informant (victim), and the FIR has been lodged only on account of a previous land dispute between the parties.

5. Learned APP for the State, on the other hand, vehemently opposes the prayer for bail of the petitioner and submits that there is a direct and specific allegation of rape against the petitioner and the co-accused Bhantun Kumar. The informant (victim), in her statement under Section 183 of BNSS, 2023, categorically stated that the petitioner played an active role in kidnapping her after tying a towel over her mouth at the point of a knife. Counsel further submits that it has been categorically stated in the rejection order that the incident appears to be a gang rape carried out in furtherance of common intention.

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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