

**IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE-1st-CUM-
SPECIAL JUDGE (SC/ST, NDPS & CHILDREN ACT)
AURANGABAD (BIHAR)**

ANTICIPATORY BAIL APPLICATION NO. 361 OF 2026

AMBA PS CASE NO: 07 OF 2026

Akhilesh Kumar, aged about 25 years, S/o- Sunil Bhuiyan, R/o Village-Babu Chilahki, PS-Amba District-Aurangabad(Bihar)

....Petitioner

Versus

State of Bihar

....Prosecution

Appearance:

Learned Counsel for the accused-petitioner

- Shri Kamlesh Prasad, Ld. Advocate

Learned Counsel for the State

- Shri Ram Naresh Prasad, Ld. APP

Order with signature of the Court

**Dated
26.03.2026**

An anticipatory bail preferred on behalf of the accused-petitioner namely **Akhilesh Kumar**, who apprehends his arrest in connection with Amba PS Case No. 07/2026 under Section 87 of the Bhartiya Nyaya Sanhita (BNS), 2023. The CD has been received. The copy of the bail petition has been served to the Ld. APP for the State. After furnishing the copy of the bail petition to the Additional Public Prosecutor and this bail petition pressed today.

The learned counsel for the petitioner pressing the bail application, reciting the contents of the F.I.R. has tried to show that the accused-petitioner is innocent and he has committed no offence. No any bail application has earlier been filed on behalf of the petitioner either before this court or any other court of law. It is further submitted that petitioner is not name in the FIR. Due to suspicion the petitioner has falsely been implicated in this case. The petitioner belongs to very poor family members. The petitioner is not involved in the alleged incident. The accused-petitioner has no criminal history. The learned counsel for the accused-petitioner has submitted that he is ready to furnish bail bonds of reasonable amount to the satisfaction of this court. Hence, he prayed to enlarge the petitioner on anticipatory bail.

Per-contra, Shri Ram Naresh Prasad, the learned Additional Public Prosecutor appeared on behalf of the State and submitted that the petitioner has committed serious offence of kidnapping of a minor girl. Hence, prayed to reject the anticipatory bail petition.

Perused the case record as well as case diary and perusal of case diary, it transpires that the FIR is registered against the unknown. Of course, the petitioner is not named in the

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**Cont....
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FIR, but the name of the accused-petitioner has come during the investigation. On perusal of para-12 of the CD, and on CDR, the victim of this incident has a phone number 6203676470 with her and she received a call from the Mobile no. 8294641090 which belongs. The allegation against him is that he lured and kidnapped the informant's minor daughter Neha Kumari. Perusal of the case diary para-2,6 and 7 goes to show that in the course of investigation, re-statement of informant and the statement of the witnesses have been recorded by the I.O. of this case under section-180 BNSS. In their respective statements, the witnesses have supported the allegations of kidnapping. It is apparent from the case diary that the prosecution story is an issue of love affair. The materials available on the judicial record reflects that this is the case of kidnapping and the facts also shows that the petitioner had abducted the informant's daughter and the investigation of this case is at the nascent stage.

So, Considering the facts and circumstances of this case and and active involvement of accused-petitioner of kidnapping of the informant's daughter/girl as made out against the accused-petitioner, I am not inclined to enlarge the accused-petitioner namely **Akhilesh Kumar**, on anticipatory bail. Therefore, this anticipatory bail petition is hereby stand **rejected**.

Dictated and corrected by me.

(Vishwa Vibhuti Gupta)
District & Additional Sessions Judge-1st-cum-
Special Judge (SC/ST, NDPS & Children Act)
Aurangabad, Bihar
Dated: 26.03.2026

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