

**In the Court of District & Additional Sessions Judge-I, Darbhanga,
Bihar.**

ABP No.- 222 of 2026

Ref :- Arising out of Benta PS Case No.- 100 of 2024, Dated- 24.09.2024,
U/s- 64, 351(2), 123, 69, 3(5) of the BNS

In the matter of :-

Yadav Sri Prakash Kumar @ Prince Kumar, Aged about 34 years, S/o
Gyanchandra Singh, R/o Village- Atimi, P.S.- Nasirgaj, District- Darbhanga
----- **Petitioner**

Versus.

The State of Bihar ----- **Opposite Party**

Learned counsel for the petitioner : Sri Dheeraj Kumar, Advocate.

Learned counsel for Opp.Party : Sri Amrendra Narayan Jha, P.P.

Date of order:- 10.03.2026

ORDER

1. The petitioner above named seeks pre-arrest bail in connection with Benta PS Case No.- 100 of 2024, Dated- 24.09.2024, U/s- 64, 351(2), 123, 69, 3(5) of the BNS is pending in the court of Sri Sudhanshu Ranjan Singh, JMFC, Darbhanga.
2. The case of the prosecution, in brief, is that the accused Jai Prakash Yadav was known to the prosecutrix for about one year. It is alleged that on 11.08.2024, the said accused called the prosecutrix and kept her in a hotel at Darbhanga where he allegedly administered an intoxicating substance to her and committed rape upon her for three days on the false promise of marriage. It is further alleged that on 28.08.2024, the accused again called the prosecutrix and took her to Madhya Pradesh, where he again committed rape upon her and later disclosed that he was already married and had three children. Thereafter, the accused allegedly called his friends, including the present petitioner, who attempted to

settle the matter. It is further alleged that when the prosecutrix did not agree to such settlement, the petitioner and other persons assaulted and threatened her. On the basis of the said allegations, the present FIR was instituted.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner has clean antecedents. The petitioner was not named in the FIR, and during the course of investigation the Investigating Officer did not send up the petitioner for trial. It is also submitted that the petitioner is an employee of the Railways, and as per paragraphs 120, 136, 139 of the case diary, the tower location of the petitioner's mobile phone was not found at the place of occurrence rather he was in Andhra Pradesh at the relevant time. The relevant documents were also collected during investigation. It is also argued that although the learned CJM, Darbhanga took cognizance against the petitioner, the learned JMFC, Darbhanga has issued non-bailable warrant against him. It is contended that there is no material on record connecting the petitioner with the alleged occurrence, and therefore the privilege of anticipatory bail be granted.
4. Learned Public Prosecutor appearing for the State opposes the prayer for anticipatory bail.
5. Considering the facts and circumstances of the case and upon perusal of the entire case diary, it appears that the police did not find any direct involvement of the petitioner in the alleged occurrence. It further appears that the

investigation against the petitioner has already been completed and cognizance has also been taken, and therefore the possibility of tampering with the evidence or influencing the witnesses is minimal.

6. Accordingly, the petitioner Yadav Sri Prakash Kumar @ Prince Kumar is allowed the privilege of anticipatory bail. In the event of his arrest or surrender within 30 days from the date of this order, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned.

(Dictated)

**District & Addl Sessions Judge-I
Darbhanga.
10.03.2026**

Date of Order	10-03-2026
Date of Reserving Order	
Uploading Date	13-03-2026
Uploaded by	Ratnesh Kumar (DEO)