

Court of Addl. Sessions Judge -I, Jehanabad

A.B.P No. 599/2026

Makhdumpur PS case no. 211/2026

(Raushan Kumar v/s State of Bihar)

29.04.2026 -

An Application for anticipatory bail filed behalf of accused petitioner namely Raushan Kumar, who is apprehending his arrest in connection with Makhdumpur PS case no 211/2026 lodged u/s 96 B.N.S. has been pressed today for hearing

One Sabita Devi is the informant of the case, who has lodged FIR in Makhdumpur Police station alleging therein that on 09.03.2026 at 09:00 a.m. her daughter aged about 17 years went outside the house for purchasing articles in Umta Bazar, but did not returned. During course of search, she came to know that one of her co-villager Raushan Kumar has kidnapped her minor order by luring her on the pretext of marriage.

It has been submitted by the Ld. Counsel on behalf of the accused petitioner that the petitioner is quite innocent and has committed no offence as alleged in the FIR and falsely implicated on mere suspicion in the present case. The petitioner carries no criminal antecedent in his credit. Further, submitted that as per FIR, alleged occurrence took place on 09.03.2026 but the FIR has been lodged on 12.03.2026 after abnormal delay which caste serious doubt to the prosecution case. Petitioner is ready to co-operate in investigation and trial and he will be appear personally before the concern court as and when required. Petitioner is ready to abide all terms and condition imposed by the court. Accordingly, prayer has been made to enlarge the petitioner on Anticipatory bail.

The Ld. Special PP vehemently opposed the prayer of the petitioner for Anticipatory bail and submitted that victim is minor girl and the investigation of the case is still going on. As such petitioner does not deserve to given benefit of Pre-arrest bail.

Heard and perused the record as well as the case diary which has already been received in this court. The thrust of allegation against the present petitioner is of kidnapping the minor daughter of the informant by luring her on the pretext of marriage. From the perusal of the case diary it transpires that informant in her restatement vide para no. 2 of the case diary and other witnesses vide para no. 08 and 09 of the case diary have supported the case of

prosecution. From the perusal of case record it appears that statement of the victim has been recorded under section 180 B.N.S.S. and 183 B.N.S.S. From the perusal of statement of the victim recorded under section 180 Cr.P.C. which shows that victim was in talking term with the petitioner since last three years and petitioner established sexual intercourse with her. She has further stated that on the alleged date of occurrence petitioner called her and took away her to Bela and reside there in night and next day petitioner after took away her to the house of her friend at Aurangabad and from where he fled away lifting her at her friend's house. From the perusal of statement of the victim recorded under section 183 B.N.S.S., it shows that petitioner took away victim to Nawada by luring her on the pretext of marriage, in which she has stated that she has performed marriage with the petitioner and resides with him at his nanihal house as wife, but lastly he refused to marry her. From the perusal of medical report it appears that doctor has found the age of victim between 17 to 18 years old which shows that victim is minor. From the perusal of medical report it shows that doctor has found Hymen ruptured and sexual contact. It is evident that there is specific allegation of established sexual intercourse after kidnapping the minor daughter of the informant is attributed against the petitioner. Allegation attributed against the petitioner is serious in nature and investigation of the case is still going on. There is no reason or occasion for false implication of the accused petitioner.

Considering the entire facts and circumstances of the case, nature of allegation against these present petitioners, I do not consider it a fit case for grant of Anticipatory bail. Accordingly, the instant Anticipatory petition is hereby rejected .

(Dictated & Corrected by)

Sd/-

Addl. Sessions Judge I

