

Court of Addl. Sessions Judge -I, Jehanabad
A.B.P No. 634/2026
Jehanabad PS case no. 769/2024
(Akash Kumar v/s State of Bihar)

19.05.2026 - *An Application for anticipatory bail filed behalf of accused petitioner namely Akash Kumar, who is apprehending his arrest in connection with Jehanabad PS case no 769/2024 lodged u/s 137(2), 96 B.N.S. has been pressed today for hearing*

One Anita Devi is the informant of the case, who has filed a written report in Jehanabad Police station alleging therein that on 18.09.2024, at about 04:00 p.m. while she returned back to home from hospital found door of her house was opened and her daughter namely Mushkan Kumari aged about 13 years was missing from the house. Informant started searching of her daughter, but not traced out. Informant has full faith that one Ashok Kumar with the help of Umesh Singh, Sbita Devi, Vikki Singh, Gudi Devi, Banti Singh, Rubi Devi and Rishu Kumar kidnapped her minor daughter by luring her for the purpose 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 in the present case by suppressing the real fact. The petitioner carries one criminal case as Jehanabad P.S. case no. 1047/23 in his credit. Further, submitted that petitioner has no concern with the alleged occurrence and never made any physical contact with the victim and it is emphatically challenge. In fact there is no cogent material against the petitioner to connect with the alleged crime. 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 petitioner is main assailant who kidnapped the minor daughter of the informant and the investigation of the case is still going on. Further, submitted that prior to the alleged occurrence also he had also kidnapped the victim. 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 and other witnesses 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 183 Cr.P.C., she has stated that due to love affair she went to Ludhiyana with accused Akash Kumar and started residing there as wife and husband and she was pregnant at the time of her statement. From the perusal of statement of the victim recorded under section 183 B.N.S.S. She has stated same version as stated in her statement recorded under section 180 B.N.S.S. From the perusal of certificate issued from Baseline Vidyalaya Raja Bazar, Jehanabad the date of Birth of the victim is 04.11.2011 which shows that at the time of occurrence, victim was below the age of 18 years. It is evident that petitioner has made sexual relationship with the minor daughter of the informant. 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. From the perusal of record it also transpires that earlier too, the petitioner had taken away the informant's daughter and for which, a case Jehanabad Town P.S. Case no. 1047/2023 under sections 363, 366(A)/34, 376(AB) IPC and 4 POCSO Act has been registered against him.

Considering the entire facts and circumstances of the case as well as gravity of offence, 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
Jehanabad*

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