

**The court of Sri. Baljinder Pal, Additional Sessions Judge-Ist,
Kaimur at Bhabua**

A.B.P. No. 1002 of 2026

**(Arising out of Sonhan PS Case No. 43/2026 registered u/ss 96, 64, 3(5)
of the BNS)**

In the matter of :

1. Jai Prakash Yadav S/o Daya Shankar Yadav, aged about 21 years.
All R/o Village-Kharenda, PS-Belaon, Distt-Kaimur.

----Petitioner

V/s

The State of Bihar

----O.P.

CrI. Antecedent :- 0 (as per para- 3 of bail application)

Ld. Counsel for the Petitioner : Sri Prahlad Singh.

Ld. A.P.P. for the State : Sri Virendra Prasad Singh.

ORDER

Date : 11.06.2026

1. Anticipatory Bail Application, dated 04.06.2026 filed on behalf of the petitioner above named, apprehending his arrest in connection with Sonhan PS Case No. 43/2026 registered u/ss 96, 64, 3(5) of the BNS, is moved for hearing by the Ld. Advocate. Photocopy of case diary along with photocopy of statement u/s 183 of the BNSS in sealed envelop received on record.

Heard both the sides.

2. The Ld. Advocate on behalf of the accused/petitioner submitted that no anticipatory or regular bail has been filed or pending on behalf of the accused/petitioner either in this Court or before the Hon'ble Patna High Court and the accused/petitioner has no criminal antecedents prior to this case.

The Ld. Advocate further submitted that the accused/petitioner no

offence u/ss 96, 64 of the BNS is made out against the accused/petitioner and he has committed no offence and he is quite innocent and no such occurrence has ever taken place as alleged by the prosecution and the accused/petitioner is falsely involved in this case only to put pressure on the accused/petitioner to solemnize marriage with the alleged victim girl. The Ld. Advocate further submitted that the co-accused was granted bail vide ABP No. 611/2026 and further submitted that the alleged victim girl who is 19 years of age and she has herself stated in the FIR that marriage was solemnized in Mandir and, therefore, if marriage is solemnized as alleged by the victim, then no offence u/s 64 is made out.

3. The Ld. A.P.P. on behalf of the State submitted that the accused/petitioner has sexually exploited the victim girl on the false promise of marriage and imitation of marriage in Mandir and kept her for two months in West Bengal and, thereafter, left alone at Sasaram Railway Station and the accused/petitioner in his bail application himself has stated that no marriage was made between the accused/petitioner and the victim girl and, therefore, arguments of the Ld. Advocate that Section 64 is not attracted, without any merits because the accused/petitioner himself denying the entire transaction of taking the victim in West Bengal for the purpose of marriage and solemnizing marriage with the victim and making physical relation whereas the victim has supported her allegation in statement u/s 183 of the BNSS also. The Ld. APP further submitted that the co-accused is brother of the petitioner was granted bail only because he was not present at the time of alleged abduction of the victim on the promise of marriage and going through the ceremony of marriage in West Bengal.

4. After hearing both sides and perusing the record, it appears that there is allegation on the accused of taking the victim in West Bengal and making

physical relations on assurance promise of marriage, in a rented room and, thereafter, continued the physical relation about two months and came back at Sasaram and disappeared from the railway station by leaving the informant/victim alone.

The allegation of taking the victim at West Bengal and making of marriage in Mandir and exploiting the victim sexually on promise of marriage and going through the process of marriage is surfaced on record and, therefore, the Court is not inclined to grant anticipatory bail to the accused/petitioner. Accordingly the prayer of anticipatory bail is rejected and ABP is hereby ***dismissed***.

5. The observations made in this order are only on the basis of submission and material available on record, for the purpose of disposal of the anticipatory bail application and should not be regarded as an opinion in investigation, inquiry or trial.

(Dictated)

sd/-

(Baljinder Pal)
Additional Sessions Judge-1
Kaimur at Bhabhua