

Present: Sandeep Mishra
In the court of District and Additional Sessions Judge-I, Katihar
Anticipatory Bail Application 742 of 2026
(Arising out of Kursela PS case No.126 of 2026)
Prakash Sahni versus State

1. Prakash Sahni, aged 50 years, son of Late Puran Sahni, resident of village Nayatola Tingharia,
P.S.- Kursela, District- Katihar.

... Petitioner

versus

The State of Bihar

... Opposite party

Date	Order	Remark
01.06.2026	1. This is an application for grant of anticipatory bail filed on behalf of the accused petitioner namely Prakash Sahni in connection with Kursela P.S.case number case number 126 of 2026 registered under sections 69, 81, 351 (2), 352, 3 (5) of Bhartiya Nyaya Sanhita. 2. The victim herself is the informant of this case. According to the First Information Report, case of the prosecution is that the victim and the son of the petitioner namely Ranjan Kumar were in love for six years and when the marriage of the victim was being fixed elsewhere, the son of the petitioner namely Ranjan Kumar asked the victim not to marry elsewhere, and he also said that he would marry her. Thereafter, the victim talked in the home and her family members became ready. Thereafter the son of the petitioner namely Ranjan Kumar along with the victim went outside for traveling on several occasions and they also established physical relation. About one month ago on 06/03/2026, the son of the petitioner namely Ranjan Kumar took away the victim to hotel at Naughachia and said that now they would perform court marriage and again established physical relation with her. On 13/3/2026, the son of petitioner namely	

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<u>continued</u> 01.06.2026	Ranjan Kumar asked whereabouts of the victim and when the victim replied that she is alone in her house, the son of the petitioner namely Ranjan Kumar came to the house of the victim and again established physical relation with her. Thereafter, after some days, the son of the petitioner Ranjan Kumar informed the informant that his marriage has been fixed elsewhere and he does not want to keep any relation with her. He has further said that he has performed engagement and also asked the victim not to message him. Thereafter the victim talked with the father of the accused Ranjan Kumar namely Prakash Sahni (petitioner herein) and asked him upon which said Prakash Sahni said that he would not allow the victim to enter in her home and he has fixed the marriage of the accused petitioner elsewhere. He further said that the victim may lodge the case of rape against his son and he will see it. 3. It has been submitted on behalf of the petitioner that no bail application either regular or anticipatory has been filed on behalf of the petitioner in this case earlier either before this court or before the Hon'ble Court, Patna. The petitioner has got no criminal antecedent. The petitioner is quite innocent and he has committed no offence at all as alleged by the informant in her typed application given to the police. The petitioner has been falsely implicated by the informant with the collusion of family member only to make pressure on the petitioner and his family members for performing marriage of the son of the petitioner with	
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<u>continued</u> 01.06.2026	the informant and after denial, they threatened the petitioner to keep the son of the petitioner behind the bar to humiliate him in the society and also to damage the future of his son. All the allegations against the petitioner regarding the physical relation of his son with the victim on the assurance of marriage is totally false, concocted, and created story of the informant. On the aforesaid grounds, prayer has been to grant the privilege of anticipatory bail to the petitioner. 4. On the other hand, the learned APP as well as the learned counsel for the informant have opposed the prayer of the petitioner for grant of anticipatory bail and submitted that it is the petitioner who has refused to marry his son with the victim. Therefore, the petitioner is not entitled to be granted the privilege of anticipatory bail. 5. It is pertinent to state here that pursuant to the order dated 22.05.2026 passed by this court in B.P. No.498 of 2026 which relates to the son of this petitioner namely Ranjan Kumar, the victim and the accused Ranjan Kumar are present in the court. The accused Ranjan Kumar has been produced from the custody pursuant to the production warrant issued against him whereas the victim appeared pursuant to the notice issued to the victim. On being asked, the son of the petitioner namely Ranjan Kumar stated that he does not want to marry the victim- informant whereas	
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<u>continued</u> 01.06.2026	the victim has stated before the court that she is ready to marry said Ranjan Kumar. 6. Heard the parties and perused the record. The record of this case being Kursela PS case no. 126 of 2026 has been received from the learned court concerned. At the time of hearing of this anticipatory bail application, copy of case diary containing 77 paragraphs has been produced on behalf of prosecution. So far as the criminal antecedent of the petitioner is concerned, it is mentioned in paragraph no. 55 of the case diary that the petitioner has got no criminal antecedent. Allegations against the petitioner are that when the informant informed about the misdeeds of the son of the petitioner to the petitioner that his son namely Ranjan Kumar has established physical relation with her on the assurance of marriage and now he is refusing to marry her, the petitioner told the informant that she may lodge case against the son which he will see and he will not allow the victim to enter in his home. He has further stated that he is getting his son married elsewhere. From the perusal of the case diary, it transpires that the details of call recording in between the petitioner and the informant have been mentioned in paragraph no. 74 of the case diary from the perusal of which, it transpires that this petitioner has denied of having any knowledge about the relationship of the victim with his son namely Ranjan Kumar and further	
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<u>continued</u> 01.06.2026	he asked the victim to lodge case against his son. From the perusal of the statements of the witnesses in paragraph no. 61, 62 and 63 of the case diary, it transpires that they have stated therein that the family members of the victim as well as the family members of the accused Ranjan Kumar had not any knowledge about the physical relationship in between the victim and the accused Ranjan Kumar. The victim in her statement under section 183 of Bhartiya Nagrik Suraksha Sanhita has stated that now the parents of said Ranjan Kumar have agreed. However, as mentioned herein above today, the son of the petitioner namely Ranjan Kumar who was produced before the court in B.P. No. 498 of 2026 (Ranjan Kumar versus State) refused to marry the victim before the court. Admittedly, the victim as well as the son of the petitioner namely Ranjan Kumar are major and it is the son of the petitioner who refusing to marry the victim. 7. Considering the aforesaid facts and circumstances of the case including the nature of allegations against the petitioner, this court is inclined to grant the privilege of anticipatory bail to this petitioner. 8. Accordingly, prayer for grant of anticipatory bail made on behalf of the petitioner namely Prakash Sahni in connection with Kursela PS Case no.126 of 2026 is hereby allowed. In the event of the arrest of the petitioner or on surrendering of the petitioner within a period of two weeks from today before the learned	
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<u>continued</u> 01.06.2026	court concerned where this case being Kursela PS Case no.126 of 2026 is pending, the petitioner above named namely Prakash Sahni is hereby directed to be enlarged on bail in connection with Kursela PS Case no.126 of 2026 on his furnishing bail-bond of Rs. 10,000/- with two sureties of the like amount each subject to the satisfaction of the learned court concerned where this case being Kursela PS Case no.126 of 2026 is pending and also subject to the conditions laid down under section 482(2) of Bhartiya Nagrik Suraksha Sanhita. One of the sureties of the petitioner will be the close relative of the petitioner and the petitioner will also furnish an undertaking that if the victim and the son of the petitioner namely Ranjan Kumar agree to marry one another, he will not create any hindrance. (Sandeep Mishra) District and Additional Sessions Judge-I Katihar 01.06.2026	
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