

**IN THE COURT OF
DISTRICT & ADDITIONAL SESSIONS JUDGE-I
MUNGER, BIHAR**

Anticipatory Bail Application No. 617 of 2026

**Shivam Kumar Vs State of Bihar
Bariyarpur P.S. Case No. 58 of 2026**

Order dated: 08.06.2026

ORDER

08.06.2026

The present Anticipatory Bail Application has been preferred by Petitioner namely **Shivam Kumar** s/o Sanjay Rajak who is apprehension of arrest in connection with Bariyarpur P.S. Case No. 58 of 2026 under Sections 115(2), 352, 69 & 316 of BNS, pending in the Court of Ld. A.C.J.M.-II, Munger. Learned Counsel for the Petitioner is present on calling and Learned Additional Public Prosecutor on behalf of the State is also present.

As per the Bail Application, it is submitted that the Petitioner is innocent and he has not committed any offence and falsely implicated in this case. He further submits that the under Sections 69 & 316 of BNS is not made out against the Petitioner and the complainant daughter Komal Kumari is legal wedded wife of the Petitioner. After marriage Komal Kumari reside with the Petitioner as husband and wife at resident of the Petitioner and she has birth a female child and left the Sasural and went at her Maika and the newly born baby was treated by doctor but she was not survived. In para-2 of the Application, it is certified that the Petitioner has not previously filed any Bail Application before this Court or before Hon'ble High Court of Patna. The Petitioner have no criminal antecedent. The Petitioner is ready to furnish the bail bond and he is also ready to comply with direction of this Court. Hence, it is prayed to enlarge the Petitioner on Anticipatory Bail.

Learned Additional Public Prosecutor on behalf of the State vehemently opposed the present Bail Application

As per the written application of the Informant, the case of the prosecution is that the Complainant namely, Sabita Devi alleged that Shivam Kumar (Petitioner) made physical relationship with minor daughter of Complainant on the promise of marriage and make video and photo. After some

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time she got pregnant thereafter the parents of victim went at Petitioner's house and the Petitioner ready for marriage with victim but he made a marriage certificate at forgery stamp paper of Rs. 1,000/- and his signature along with Petitioner's mother namely Rekha Devi. Meanwhile, the victim born a child and the Petitioner has not take care of victim and child and the Petitioner and his family members as Sanjay Rajak, Rekha Devi, Satyam Rajak, Rajan Rajak and Gayatri Rajak all accused persons forcefully told to leave their house. The Complainant went at Bariyarpur police station for filing a complaint against the said accused persons but did not register the case. Therefore, the Complainant has filed a complaint before the Court concerned.

Heard both sides and perused the records.

From the perusal of case record, it is clear that the Petitioner is named in FIR and there is direct allegation to make physical relationship with minor daughter of Complainant on the promise of marriage and make her personal photo and video and make a fake marriage certificate on stamp paper. All prosecution witnesses in paras-13 & 17 of the case diary have supported the case of prosecution. Paras-16 & 25 of the case diary contained statement of victim under Sections 180 & 183 of BNSS in which the victim has fully supported the case of prosecution and stated that the petitioner has married with victim after making physical relationship with her several times and due to her pregnancy as per pressure of society and later on a girl child born but the Petitioner did not take care her which resulted into her death and demanded Rs. 5,00,000/- (Five Lakh Rupees) as dowry. Ld. Defense Counsel has claimed that Petitioner wants to live with his wife (victim) with peacefully. The Victim and Informant were present before this Court and supported the case of prosecution and the victim has stated that she does not want to live with Petitioner. This case is still under investigation.

Therefore, considering aforesaid facts and circumstances of the

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case as discussed above, nature of the allegation, present status of this case as well as statements of victim under Sections 180 & 183 of BNSS, I am of the view that there is direct allegation to make physical relationship with minor daughter of Complainant on the promise of marriage which resulted into her untimely pregnancy and birth of female child who died due to lack of treatment and later on the Petitioner and his family members forced to leave her matrimonial home which is serious in nature. Hence, the the Petitioner does not deserve the privilege of Anticipatory Bail.

Accordingly, the prayer of bail of the Petitioner namely **Shivam Kumar is hereby Rejected.**

Dictated,
Sd/-

District & Addl. Sessions Judge-I, Munger

Dated: 08.06.2026

Date of Order/Judgement	08.06.2026
Uploading Date	15.06.2026
Uploaded By	Neeraj Kumar Pandey (Steno)