

IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE-I, PURNEA

Anticipatory Bail Petition No. 511/2026

U/s 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023

(Arising out of Sarsi P.S. Case No. 31/2026)

IN THE MATTER OF:-

Adarsh Kumar, S/o Shailendra Yadav, aged about 24 years

R/o village- Balutol Durgapur, P.S.- Sarsi & District- Purnea.....Accused Petitioner

Vs.

State of Bihar Opposite Party

11.06.2026

The bail application has been filed on behalf of the accused petitioner namely Adarsh Kumar and it has been sought for grant of anticipatory bail in connection with Sarsi P.S. Case No. 31/2026 disclosing offences punishable u/s 115(2), 126(2), 64, 85, 351, 352, 61(2)/3(5) of BNS, 2023.

2. The case diary is available with the bail case record. The petitioner in para 2 of the bail application has given a certificate with respect to non-filing of any earlier bail application before this court or before Hon'ble High Court, Patna. The victim is present by filing her hazari and she expresses the details of the offence committed upon her.
3. Heard the learned counsel Sri Manish Anand appearing on behalf of the petitioners and Sri Rahul Raja, the learned APP appearing on behalf of the opposite party.
4. The learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has committed no offence of rape and others as alleged in the complaint petition but on account of the property dispute in the family, the aforesaid case has been lodged in form of the rape case by filing the complaint petition and he has got clean past but he apprehends his arrest at the hands of the police. On these grounds, it has been prayed for grant of the anticipatory bail to the petitioner.

On the other hand, learned A.P.P. opposes the prayer of bail.

5. The prosecution case, in short, is that the victim XXX has got an FIR lodged as Sarsi P.S. Case No. 31/2026, dt. 22.02.2026 on the basis of the complaint case no. 2363/2025 alleging therein that after the death of her husband Murari Yadav, her family members of matrimonial home have fixed her marriage with her devar, Adarsh Kumar (the petitioner) and the petitioner committed forced rape upon her on 05.06.2024 by entering into her room and on 03.09.2024, the brother-in-law of the petitioner Saroj Yadav also committed attempted rape upon her and when she told the matter to the family members of the petitioner, all the accused persons physically assaulted her and also took her signature on the non-judicial stamp forcibly and thereafter they got the victim's marriage with the petitioner on 24.02.2025 and thereafter, the petitioner with

his family members started demanding money of rupees five lakh and one motorcycle as dowry from her father and when she did not fulfil the demand, she was ousted with her children from her matrimonial house by the petitioner and his family members and hence the FIR.

6. Perused the bail application along with the complete record including the photocopy of the case diary (para 1-37) which appears that the para 7 of the case diary describes the place of the occurrence and collected materials in the case diary establish the factum of the rape incident and particular in the statement of the victim recorded u/s. 183 of BNSS, 2023, it has been asserted about the details of the incident as alleged in FIR and it has also been asserted that the petitioner Adarsh Kumar has committed forced rape upon her on 05.06.2024 in night by entering into her room when she became widow after the death of the petitioner's elder brother Murari Yadav. It also appears in the case diary that the petitioner's family members got her marriage with the petitioner on 24.02.2025 and they also demanded the dowry and when she did not fulfil the demand, she with her children was ousted from her matrimonial home. Thus, the allegation of rape upon the victim by the petitioner is direct and marrying the victim simply after committing rape does not absolve the crime and it remains an offence of rape under law.

The victim present before the Court also states the details of the offence committed upon her on account of her close proximity to the petitioner and hence, there appears likelihood for intimidation of the victim when the investigation is going on.

7. Considering the nature and gravity of the offence, this court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer of pre-arrest bail made on behalf of the accused petitioner Adarsh Kumar stands ***rejected.***

Dictated

sd/-

(Narendra Kumar)

Addl. Sess. Judge-I

Memo No. Dated 12.06.2026

Copy of bail order of Sarsi P.S. Case No. 31/2026 is forwarded to the Court of Sri Raju Kumar Sah, learned J.M. 1st Class, Purnea for information and needful.

(Narendra Kumar)

Addl. Sess. Judge-I

Date of Order	11.06.2026
Date of Reserving Order	
Uploading Date	16.06.2026
Uploaded by	Amit Adarsh, Stenographer