

In the Court of Sessions Judge, Vaishali
A.B.P. No. 1409/2026

Dhiraj Kumar, aged about 20 years S/o Dayali Mahto @ Jayadaya Mahto
Resident of village – Khanjahachak, P.S. - Lalganj, District – Vaishali.
- Petitioner

Verses

State of Bihar - O.P.

Appearance :-

Learned counsel for the petitioner :- Mr. Laleshwar Kumar Singh, advocate.

Learned P.P. for the State :- Sri Shyam Babu Rai,

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order: - 27th . May 2026

Heard the learned defence counsel as well as learned Public Prosecutor on the anticipatory bail application filed on behalf of the above named accused petitioner under section 482 of B.N.S.S. who is apprehending his arrest in connection with Lalganj P.S. Case No. 137/2026 registered u/ss. 137(2) & 96 of B.N.S..

It is stated in Para 2 of the anticipatory bail petition that earlier no bail application either anticipatory or regular has been filed in the present case either before this court of Sessions or before the Hon'ble High Court, Patna.

The case of the prosecution in brief, as per written report of the informant Awadhesh Ram is that on 18.03.2026 his daughter namely Jyoti Kumari aged about 17½ years had gone to Commerce College, Lalganj with her brother and at about 2 A.M. at the time of returning from college, Dhiraj Kumar stopped the motorcycle of his son near Rasulpur school and started scuffling with his son Raushan Kumar and threatened to kidnap his sister. Thereafter Jyoti Kumari and Raushan Kumar came to their house. At about 8 P.M. in the night when the informant did not saw his daughter Jyoti Kumari at house, he started searching his daughter. During search, it came to know that at about 6 P.M. in the evening Dhiraj Kumar under conspiracy has forcibly taken away his daughter on a motorcycle.

The learned counsel for the above named accused petitioner submits that the accused petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The entire prosecution case is false and concocted.

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No occurrence as alleged took place. The victim has been recovered and her statement u/s 183 B.N.S.S. has been recorded. The accused petitioner has no criminal antecedent. Hence, a prayer has been made to allow this anticipatory bail petition.

The learned Public Prosecutor for the State opposed the prayer for anticipatory bail.

Heard both the parties and perused trial court record. After perusal of the trial court record and the case diary, it transpires that there is specific allegation against the petitioner of kidnapping the informant's minor daughter. The informant in his re-statement in Para 2 and other witnesses namely Raushan Kumar, Sanju Devi, Suraj Paswan and Parikshan Paswan in Para 6, 7, 8 & 9 of the case diary have supported the prosecution case. It further appears that the victim girl Jyoti Kumari has been recovered and her statement u/s 183 B.N.S.S. has also been recorded in which her age was assessed by the learned Judicial Magistrate as 17½ years. So, she appears to be minor on the alleged date of occurrence i.e. 19.03.2026. The victim Jyoti Kumari in her statement u/s 183 B.N.S.S. has supported the case of her kidnapping by the petitioner Dhiraj Kumar and specifically stated that petitioner Dhiraj Kumar had forcibly taken away her on his motorcycle to Muzaffarpur railway station. It further appears that the victim girl has been released in favour of her father/informant Awadhesh Ram by the learned trial court on 22.03.2026.

Therefore, considering the aforesaid facts, circumstances of the case as well as nature of the allegations, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the present anticipatory bail petition is hereby rejected.

(Dictated)

(Harshit Singh)
Sessions Judge, Vaishali

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Present : Harshit Singh, Sessions Judge, Vaishali

Contd.

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