

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9803 of 2025

Arising Out of PS. Case No.-68 Year-2024 Thana- MAHILA PS District- Buxar

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1. Durga Devi W/O Mantu Kumar Resident of village - Mahavirganj, P.S- Dawat, Dist- Rohtas.
 2. Lalita KUmari @ Lalita Devi W/O Dharama Dev Singh Resident of village - Mahavirganj, P.S- Dawat, Dist- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Singh, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

2 24-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. At the outset, it is made clear that the present case
has come up on a mentioning slip and is being heard out of turn.

3. The petitioners apprehend their arrest in connection
with Buxar (Mahila) P.S. Case No.68 of 2024 registered for the
offences punishable under Sections 316(2), 318(4), 69, 352,
351(2), 351(3) and 3(5) of the Bhartiya Nayay Sanhita.

4. It has been submitted by learned counsel for the
petitioners that the FIR was lodged on 21.09.2024 and the
petitioners had moved for anticipatory bail before the learned
court below and the same was rejected on
23.01.2025, whereafter they filed an application



before this Court on 05.02.2025. During pendency of the present application, the processes against the petitioners were issued on 20.03.2025 and 03.04.2025. It is also brought to the notice of this Court that in the case of main accused of this case Mantu Kumar in Cr.Misc. No.87216 of 2024, the order for no coercive steps to be taken against him was already granted vide order dated 19.12.2024.

5. It would appear from a bare reading of the FIR that the informant is a constable of District Police and she has lodged the present FIR on 21.09.2024 in which no specific dates and time has been given but it seems a date of 10.06.2024 has somehow been inserted in the FIR.

6. Learned counsel for the petitioners submits that considering the date of occurrence as 10.06.2024 there is an apparent delay in lodging of the FIR as the same has been done on 21.09.2024. It has further been submitted that the thrust of the allegation in the FIR is against Mantu Kumar and the present petitioners, who are female members of the family of Mantu Kumar being the wife and mother of Mantu Kumar, have been falsely implicated to exert the pressure for extorting money. It has also been submitted that the entire story stated in the FIR sounds very confused and incoherent. So far as the



money transaction part of the FIR is concerned, admittedly some part of the payment, allegedly due to the informant, has already been made and the allegation of sexual exploitation and whatsapp chat etc. are confined to co-accused Mantu Kumar.

7. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

8. Taking into consideration that both the petitioners are female members of the family bearing no criminal antecedent and petitioner no.2 is also a government teacher, I am inclined to extend the privilege of anticipatory bail to the petitioners. Let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Buxar in connection with Buxar Mahila P.S. Case No.68 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioners shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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