

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16946 of 2025

Arising Out of PS. Case No.-301 Year-2024 Thana- RAMGARHWA District- East
Champaran

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1. Bristi Das, female, aged about 24 years, Wife of Sanjay Vishwas, Resident of Village- Nager Bazaar, Police Station- Dum Dum, District- Dum Dum (West Bengal).
 2. Kavita Patel, female, aged about 22 years, Daughter of Late Bubal Patel, Resident of Village- Sonbarsa, Police Station- Sonbarsa, District- Sitamadhi.
 3. Pooja Kumari, female, aged about 28 years, Wife of Guddu Kumar, Resident of Village- Kalanki, Police Station- Kalanki, District- Banepa Nepal.
 4. Dulendnar Sahani, Male, aged about 27 years, Son of Rambalak Sahani @ Rambalak Sahni, Resident of Village- Uchhidih, Police Station- Harpur, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Nirmala, Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 02-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Ramgarhwa P.S. Case No. 301 of 2024 instituted for the
offences punishable under Sections 126(2), 115(2), 118, 74, 132
and 3(5) of the Bhartiya Nyaya Sanhita, 2023.



3. As per the prosecution case, on a tip off that the petitioners have confined a girl in the house of co-accused Mukti Sah, a raid was conducted. Four females and one male opposed the police party and they started obstructing the police party. Police entered in the house and recovered 12 years old minor girl. While the police was taking her out, again the same four females and one male opposed and obstructed the way of the police party and snatched the minor girl from the custody of the police. They also assaulted the police personnel. Subsequently, three females and one male were apprehended and a lady fled away from the spot. The apprehended accused persons disclosed the name of the lady who escaped from the place of occurrence.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence and have falsely been implicated in this case merely on the basis of mere suspicion. He submits that the petitioners are employees of Nitu Saxena and are only concerned with the programme which was organized by her. Petitioners have got clean antecedent as stated in para 3 of the petition is in custody since 21.11.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary and impugned



order of the learned Additional Sessions Judge-XII, East Champara, Motihari dated 13.01.2025, it appears that petitioners are named in the FIR. It also appears that on the basis of written report of the Informant-cum-SHO namely Ramsharan Sah, FIR has been lodged under Sections 126(2), 115(2), 118, 74, 132 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 against five accused persons including the present petitioners. It appears that the present petitioners are arrested at the spot and is in custody since 21.11.2024. Similarly situated co-accused persons namely Nitu Saxena has been granted bail by a Bench of this Court in Cr. Misc. No. 12166 of 2025 vide order dated 07.03.2025, so considering all these aspects of the case, I am inclined to grant bail to the petitioners.

7. Accordingly the prayer for bail of the petitioners are allowed. Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Ramgarhwa P.S. Case No. 301 of 2024, subject to the conditions:-

(i) Bailors will be a permanent resident within the jurisdiction of the trial Court.



(ii) The petitioners will remain physically present on
each and every date fixed by the trial Court.

(Ramesh Chand Malviya, J)

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