

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24980 of 2025

Arising Out of PS. Case No.-571 Year-2024 Thana- PIRPAINTI District- Bhagalpur

1. Md. Babar S/O Md. Muslim R/O Village- Jhamar, P.S- Pirpanti, Distt.- Bhagalpur.
2. Natta Dada @ Prakash Kumar Mandal @ Prakash Kumar Mandal S/O Manwel Malto R/O Village- Kamalpur, P.S- Pirpanti, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 05-05-2025 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Pirpanti PS case no. 571 of 2024 dated 26.12.2024, disclosing offences punishable under Sections 137(2), 76, 3(5) of the B.N.S.S. 2023.
3. The prosecution story, as per the First Information Report, is that on 25.12.2024 in the morning, while the informant's daughter aged about 14 years was going to attend coaching classes, petitioners along with other



accused persons came down from Bolero vehicle, forcibly pulled her in the vehicle and fled away. It has further been alleged that the minor daughter of the informant was taken to Lalmatiya, where the accused persons started drinking liquor and when the victim girl started begging with them, at about 10 pm in the night, she was left near Kamalpur garden and she was also molested.

4. Learned Counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and they have falsely been implicated in the present case on the basis of concocted story. Learned counsel further submits that the victim girl is friend of sister of petitioner no. 1 and due to local village politics, the petitioners have been implicated in this case.

5. On the other hand, learned counsel for the State submits that during course of investigation, the statement of the victim girl was recorded, in which, she has stated that on the date of occurrence, at about 9.30 hours, her coaching class was over and she along with her friends was taken to Lalmatiya by Scorpio and all the friends, one by one, got down in the midway. He further submits that the accused persons thereafter, moved the vehicle to some other place,



upon which, the victim girl insisted them to carry her to her home and started crying. In her statement recorded under Section 183 BNSS before the learned Judicial Magistrate, she has stated that petitioner no. 2 Natta Dada started disrobing the victim.

6. Having regard to the submissions made by the parties and taking into consideration that victim girl has specifically stated in her statement under Section 183 BNSS that petitioner no. 2 started disrobing her, I am not inclined to grant the privilege of anticipatory bail to the petitioner no. 2, accordingly his prayer for grant of anticipatory bail stands rejected.

7. Insofar as petitioner no. 1 is concerned, there is no specific allegation against him of outraging the modesty of the victim girl, accordingly I am inclined to grant the privilege of anticipatory bail to the petitioner no. 1.

8. Let petitioner no. 1, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Pirpainti PS case



no. 571 of 2024, subject to the condition laid down under
Section 482(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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