

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33433 of 2025

Arising Out of PS. Case No.-40 Year-2022 Thana- CHORAUT District- Sitamarhi

-
-
1. Ram Babu Mukhiya S/O Kari Mukhiya R/O Village- Choraut Ward No.-1 @ Choraut Pachhmi ward No.-1 @ Choraut Pashchami, P.S- Choraut, Distt.- Sitamarhi.
2. Ranjan Devi W/O Ram Babu Mukhiya R/O Village- Choraut Ward No.-1 @ Choraut Pachhmi ward No.-1 @ Choraut Pashchami, P.S- Choraut, Distt.- Sitamarhi.
- Petitioners

Versus

1. The State of Bihar
2. Ram Shrestha Ram S/O Jageshwar Ram R/O Village- Choraut Ward No.8, P.S- Choraut, Distt.- Sitamarhi.
- Opposite Party

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate
For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Choraut P.S. Case No. 40 of 2022 registered for the offences punishable under Sections 363, 366(A)/34 of the Indian Penal Code and 10 of POCSO Act.

3. The allegation against the petitioners is to kidnap the minor daughter of the informant aged about 14 years along with their son/co-accused namely, Suraj Mukhiya as to



forced/seduced her to enter into illicit relationship/marriage with another person.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are parents of co-accused Suraj Mukhiya and for said reason they were implicated in the present case. It is submitted that after recovery of victim girl, she made her statement that out of love affairs she got married with the son of the petitioners. It is pointed out that petitioners are men of clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. In view of the aforesaid factual submissions and by taking note of the fact as implication of petitioners appears *prima-facie* false on its face for the reason that they are the parents of the main co-accused namely, Suraj Mukhiya and after recovery, the victim daughter of the informant, in her statement, denied allegation *qua* sexual assault and kidnapping, accordingly, above-named petitioners, in the event of their arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on



furnishing of bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge (POCSO Act), Sitamarhi, in connection with Choraut P.S. Case No. 40 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

U		T	
---	--	---	--

