

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31453 of 2025

Arising Out of PS. Case No.-305 Year-2024 Thana- DUMRA District- Sitamarhi

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1. Shobha Devi W/o Shohindra Bhagat R/o vill - Bhandari, P.s. - Belsand, Distt.- Sitamarhi
 2. Sohindra Bhagat @ Sahindra Bhagat @ Shohindra Bhagat @ Shahindra Bhagat Nathuni Bhagat R/o vill - Bhandari, P.s. - Belsand, Distt.- Sitamarhi
 3. Bhushan Kumar S/o Shahindra Bhagat R/o vill - Bhandari, P.s. - Belsand, Distt.- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Jannat S/o Md. Tanleem R/o vill - Barharwa, ward no. 20, P.S.- Dumra, Distt.- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Smiti Bharti

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 27-06-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 137, 96, 3(5) of the B.N.S.

3. The FIR has been registered against the present petitioners and other co-accused persons by the father of the victim girl stating therein that his daughter went missing on 07.07.2024 and on search, he came to know that co-accused Sunil Kumar, who is the son of petitioner nos. 1 and 2 and the



brother of petitioner no. 3, was last seen talking with the victim in presence of one of the co-accused Md. Intzar. Further, when the informant tried to enquire about the said Sunil Kumar, he got to know that he had gone away with his minor daughter.

4. Learned counsel for the petitioners submits that it would be apparent from the FIR itself that the thrust of the allegation is against co-accused Sunil Kumar, who was in a love relationship with the daughter of the informant. The allegation of enticing away the victim girl is also upon the said Sunil Kumar and the present petitioners have been made an accused in this case owing to the fact that they happened to be the parents and brother of the said Sunil Kumar. It has also been submitted that there is an inordinate delay in lodging of the FIR inasmuch as the date of occurrence is 07.07.2024, whereas the case has been lodged on 16.07.2024 without any plausible explanation. It has also been submitted on behalf of the petitioners that as a matter of fact, the informant's daughter and Sunil Kumar have married each other and are staying together at Bangluru and since it is an inter religion marriage, due to fear of her father, the victim is not making an appearance.

5. Learned APP for the State opposes the prayer for



anticipatory bail.

6. Be that as it may considering the fact that the petitioners are the parents and brother of the main accused Sunil Kumar having no criminal antecedent, let the petitioners, above named, in the event of their arrest or surrender before the Court below within four 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 A.D.J. VI cum POCSO Act, Sitamarhi in connection with Dumra P.S. Case No. 305 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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