

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33302 of 2025

Arising Out of PS. Case No.-189 Year-2024 Thana- BHAPTIAHI District- Supaul

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1. Manju Devi Wife Of Tej Narayan Mehta Village- Daulatpur, P.S. -Bhaptiyahi, District -Supaul
 2. Chit Narayan Mehta Son Of Late Ayodhi Mehta Village- Daulatpur, P.S. -Bhaptiyahi, District -Supaul
 3. Saraswati Devi @ Sukhya Devi Wife Of Chit Narayan Mehta Village- Daulatpur, P.S. -Bhaptiyahi, District -Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arti Kumari Wife of Vivekanand Kuswaha village- Simri, Ward no. 1 Ps- Bhaptiyahi, Dist- Suapul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate
For the Opposite Party/s : Md. Shakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 324, 379, 498A, 376D, 109 and 149 of the Indian Penal Code, Sections 3 and 4 of the Dowry Prohibition Act and Sections 66(e) and 67 of the Information Technology Act.

3. As per prosecution case, on 19.05.2024 in between 10 AM to 11 AM, all the F.I.R. named accused persons entered the room of informant and on the instigation of co-accused



Vivekanand Kushwaha, all of them made her naked and captured her obscene photographs and thereafter, committed gang rape.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Petitioner no. 1 is mother-in-law, petitioner no. 2 is grand father-in-law and petitioner no. 3 is grand mother-in-law of the informant and they are simply victims of over-implications. Specific accusation of commission of rape is against other co-accused persons. There is matrimonial dispute between the informant and co-accused Vivekanand Kushwaha. Petitioners are separate in mess and property and they are not concerned with family affairs of the informant. It is further submitted that victim in her statement recorded under Section 183 of the BNSS has not named these petitioners or alleged any wrong against them. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight



weeks from today, be enlarged 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 Additional District Judge- 1st, Supaul in connection with Bhaptiyahi P. S. Case No. 189 of 2024, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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