

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36699 of 2025

Arising Out of PS. Case No.-133 Year-2024 Thana- KISHANPUR District- Supaul

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1. Mandavi Devi W/O Late Satyanarayan Chaudhari R/O Village- Sukhashan Ward No. 7, P.S- Kishanpur, Distt.- Supaul.
 2. Sobha Devi W/O Bablu Chaudhari R/O Village- Sukhashan Ward No. 7, P.S- Kishanpur, Distt.- Supaul.
 3. Prakash Chaudhari @ Prakash Kumar S/O Bablu Chaudhari R/O Village- Sukhashan Ward No. 7, P.S- Kishanpur, Distt.- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ranjeet Kumar Chaudhary S/O Yogendra Chaudhary R/O Village- Shripur, Ward No. 11, P.S- Kishanpur, Distt.- Supaul.
3. XXX D/O Ranjeet Kumar Chaudhary R/O Village- Shripur, Ward No. 11, P.S- Kishanpur, Distt.- Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 07-11-2025 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in a case in connection with Kishanpur P.S. Case No. 133 of 2024 dated 03.06.2024, registered for the offences punishable under Section 366A read with Section 34 of the Indian Penal Code. Later on, Section 376 of the Indian Penal Code and Sections 3 and 4 of POCSO Act were added.

3. As per the prosecution case, on 31.05.2024 at



about 12:00 AM, the co-accused Vikash Chaudhary is alleged to have called on the informant's mobile phone and talked with the informant's minor daughter and called her outside and after that the informant's minor daughter is traceless. When the informant went to the house of the co-accused Vikash Chaudhary to enquire about the matter, Vikash Chaudhary along with the other co-accused persons was missing and the informant came to know from the neighbours that all the accused persons have fled away to Nepal on a four wheeler. The informant suspects that the co-accused persons may sell his daughter for human trafficking.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and they have falsely been implicated in the present case. It is submitted that there is no specific allegation of any assault or overt act attributed against the petitioners, rather the main allegation is against the co-accused Vikash Kumar. The victim girl was recovered and in her statement recorded under Section 180 of the BNSS she has stated that the co-accused Vikash Kumar called on her mobile and on the pretext of marriage she voluntarily went with him to his friend's plastic factory where the co-accused Vikash Kumar sexually abused her. The petitioners have clean antecedent as mentioned in paragraph no. 3 of the bail application.

5. Learned APP for the State has vehemently opposed



the prayer for anticipatory bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances as well as the nature of allegation against the petitioners, let the petitioners named-above, in the event of their arrest / surrender before the learned Court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-cum-Special Judge, POCSO Act, Supaul, in connection with **Kishanpur P.S. Case No. 133 of 2024**, subject to conditions as laid down under Section 482(2) of the BNSS.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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