

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37552 of 2025

Arising Out of PS. Case No.-25 Year-2024 Thana- MAHILA P.S. District- Banka

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1. Chandra Devi @ Chandri Devi W/o Naresh Ray Resident of village- Khiripur, P.S.- Fullidumar, District- Banka
 2. Pappu Ray S/o Naresh Ray Resident of village- Khiripur, P.S.- Fullidumar, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhawani Kumari D/o Vishundeo Ray R/o vill - Khirikol, P.S.- Fullidumar, Distt.- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-06-2025 1. Heard learned counsel for the petitioners and Mr. Chandra Bhushan Prasad, learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366(a), 376, 506 and 323/34 of the Indian Penal Code as well as Section 4 of the POCSO Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 1 is a woman and the informant alleges that on 11.03.2024 while she was returning home when she met Pritam Kumar and Sintu Ray who were on a motorcycle. Further, Pritam offered her a cold drink and after drinking the cold drink, the informant felt



unconscious and thereafter she was made to sit on the motorcycle and thereafter was taken to Bhagalpur Railway Station from where she was taken to Vijaynagar in West Bengal where Pappu Ray (petitioner no. 2), Rita Devi, Chandra Devi (petitioner no. 1), Suddhu Ray, Manti Devi, Subhash Ray and Sonali Kumari were present who lured and threatened the informant and got her married to Pritam who started establishing physical relationship on account of which she became pregnant. Thereafter, all the accused threatened the informant for abortion and on protest she was assaulted.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that it absolutely does not stand to reason that as to why the FIR came to be instituted after a delay of more than six months. It is next submitted that even from perusal of the allegation as alleged in the FIR, it would manifest that the thrust of the allegation is against Pritam and Sintu and the petitioners are alleged to have cooperated in the occurrence by getting the victim married with Pritam.

5. Learned counsel for the petitioner submits that the FIR has been instituted by the victim which amply demonstrates that the parents were aware about the whereabouts of the victim



or else the parents would have instituted an FIR had she been kidnapped. It is further submitted that though it is alleged in the FIR that victim is a minor aged about 16 years but then she is a major and that is an aspect of investigation. It is thus submitted that the FIR does not inspire confidence.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Banka Mahila P.S. Case No. 25 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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