

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40502 of 2025

Arising Out of PS. Case No.-472 Year-2024 Thana- MADHUBAN District- East Champaran

1. Anita Devi W/O Rajkumar Sahani Resident of Village- Chainpur P.S-Madhuban, District- East Champaran at Motihari
2. Sima Devi @ Most. Sima Devi W/O Late Devnarayan Sahani Resident of Village- Chainpur P.S-Madhuban, District- East Champaran at Motihari
3. Rajkumar Sahani S/O Late Devnarayan Sahni Resident of Village- Chainpur P.S-Madhuban, District- East Champaran at Motihari

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bachchi Devi Wife of Bhola Ram Resident Of Village- Mongalia , P.S-Madhuban, Dist- East Champaran At Motihari

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Radha Mohan Singh, Adv.
For the Opposite Party/s	:	Mr.Binay Krishna, APP
For the O.P. No.2	:	Mr. Sanjay Kr. Tiwari, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 09-09-2025 Heard learned counsel for the petitioners and learned APP for the State as also learned counsel for the O.P. No.2. Perused the case diary.

2. The petitioners seek bail in connection with Madhuban P.S. Case No. 472 of 2024 instituted for the offences under Sections 137(2), 96, 351(2), 351(3)/3(5) of the Bhartiya Nyaya Sanhita, 2023 and Sections 3(1)(r)(s) of the SC & ST Act and later on added Section 8 of the POCSO Act.

3. As per prosecution case, the accusation against the



accused persons including the petitioners is of kidnapping the informant's minor daughter. It is also alleged that when the informant in search of her daughter went to the petitioners, she was subjected to caste based abuse.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. He further submits that there is delay of fifteen days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. Learned counsel for the petitioners further submits that the petitioners have been falsely implicated in the present case as they are family members of the prime-accused Sandesh Kumar. The petitioners have no criminal antecedent and are languishing in judicial custody since 11.04.2025 without any rhyme or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioners, stating that the offence alleged is serious in nature. The victim is minor and, hence, the petitioners do not deserve bail.



6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhuban P.S. Case No. 472 of 2024.

(Rudra Prakash Mishra, J)

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