

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50347 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- ARERAJ District- East Champaran

1. Satar Miyan Son of Late Guljar Miayan @ Gul Miyan Resident of Village - Janerwa Areraj, P.S.- Areraj, District - East Champaran, Bihar.
2. Raushan Khatoon @ Roshan Khatoon Wife of Serajul Miyan Resident of Village - Janerwa Areraj, P.S.- Areraj, District - East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumud Devi Wife of Nandu Patel Resident of Ward No.- 10, Areraj, P.S.- Areraj, District - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prince Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-10-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for offence under Sections 137(2), 96 of the B.N.S., 2023 and Sections 8, 12 of the POCSO Act.

3. As per F.I.R., on 22.02.2025, at about 11:00 o'clock daughter of informant went to purchase biscuit but she did not return. Later on, informant got knowledge that on allurement of co-accused Arman Miya, her daughter went with him and took away cash of Rs. 5,000/- & jewellery worth Rs. 35,000/- from the house.



4. Learned counsel for the petitioner contends that petitioner no. 1 is maternal grandfather and petitioner no. 2 is mother of co-accused Arman Miya, against whom there is specific allegation of kidnapping of daughter of informant. The victim, in her statement recorded under Section 183 B.N.S.S., has denied the factum of kidnapping and specifically stated that she was in love with co-accused Arman Miya and as such, she left the house at her own volition and went to Kathmandu (Nepal) and solemnized marriage with co-accused Arman Miya in a temple. The Trial Court has assessed the age of victim, as 19 years.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the statement of the victim recorded under Section 183 B.N.S.S., let the above named petitioners, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 6th District & Additional Sessions Judge-cum-Exclusive Special Judge (POCSO Act), East Champaran at Motihari in connection with Areraj P.S. Case No. 44 of 2025, subject to condition as laid



down under Section 482 of the B.N.S.S., 2023.

(Prabhat Kumar Singh, J)

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