

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44531 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- BUDHUCHAK District- Bhagalpur

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1. Surbhi Kumari @ Surbhi Sneha D/o- Sri Bilash Sharma Village- Barohiya PS- Buddhuchak Dist- Bhagalpur
 2. Chanchala Devi @ Chanchala Kumari W/o- Sri Bilash Sharma Village- Barohiya PS- Buddhuchak Dist- Bhagalpur
 3. Bilash Sharma S/o- Late Bhudeo Sharma Village- Barohiya PS- Buddhuchak Dist- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rakesh Sharma S/O - Badri Sharma, R/V - Barohiya, P.S. - Buddhuchak, District - Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ganesh Prasad Yadav, Advocate
For the State	:	Mr. Madan Kumar, APP
For the Informant	:	Mr. Ashok Kumar No.6, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-10-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Buddhuchak P.S. Case No. 15 of 2025 registered for the offence under Sections 96, 352, 351(2) and 3(5) of the B.N.S., lodged on 22.02.2025 by the informant, Rakesh Sharma.

3. As per the prosecution story, the informant alleged that his minor daughter went to school but failed to return. Later, it came to notice that the neighbour, Raja Kumar Sharma took her away. When they went to the house of the petitioners,



parents was/were abused. This led to the F.I.R.

4. Learned counsels for the petitioners submit that admittedly, they have no role to play in the matter, being the parents and the sister of Raja Kumar Sharma, whatever allegation is there, it is against Raja Kumar Sharma.

5. In this case, the coordinate Bench had called for the case diary which is on record and the statement of the victim girl shows allegation against Raja Kumar Sharma. However, nothing has been uttered against these petitioners and it further records her movement to Patna, Bengaluru and New Delhi before her return.

6. Learned counsel for the informant submits that though main allegation is against Raja Kumar Sharma, the role of the parents and/or the sister cannot be ignored.

7. Taking into account the aforesaid facts as also that they are parents/sister having no role to play in the matter, if the statement of the victim girl is taken into account, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

8. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/-



(Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhagalpur, in connection with Buddhuchak P.S. Case No. 15 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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