

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51678 of 2024

Arising Out of PS. Case No.-62 Year-2023 Thana- SANOKHAR District- Bhagalpur

1. SACHIDANAND BHAGAT S/O LATE SHIVPUJAN BHAGAT R/VILL- KHUJURIA, P.S- SANOKHAR, DISTT.- BHAGALPUR.
2. MUNNI DEVI W/O SACHIDANAND BHAGAT R/VILL- KHUJURIA, P.S- SANOKHAR, DISTT.- BHAGALPUR.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. X X X X X X X D/O SUBASH YADAV R/VILL- KHJURIA, P.S- SANOKHAR, DISTT.- BHAGALPUR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the State : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

6 21-08-2025 Heard learned counsel for the petitioners as well as the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Sanokhar P.S. Case No. 62 of 2023 and POCSO Case No. 40 of 2023, registered for the offences punishable under Section 376 of the IPC and Sections 3/47/8/11/12 of POCSO Act.

3. According to the FIR, co-accused Nigam Kumar Bhagat tried to established physical relation with the victim. When he became unsuccessful, he enticed her and married her at Basuki Nath Temple. Thereafter, he established physical relation with her without her consent and confined her in his house. Thereafter, the petitioner no. 2 kicked her out from the house of Nigam Kumar Bhagat.



4. The learned counsel for the petitioners has submitted that the petitioners are innocent and they have falsely been implicated in the present case. It is further submitted that the petitioners are mother and father of the main accused Nigam Kumar Bhagat against whom there is allegation of rape. He further submits that main accused, Nigam Kumar Bhagat has already been granted regular bail.

5. Learned counsel for the informant, on the other hand, has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners did not allowed the victim to reside in the house and they denied the marriage between the victim and the co-accused Nigam Kumar Bhagat.

6. The matter was referred to the mediation centre but the mediation was failed. The petitioners are father and mother of the main accused and their complicity in the alleged occurrence does not transpire.

7. Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-7th-cum-Exclusive Special Judge, POCSO Court, Bhagalpur in connection with Sanokhar P.S. Case No. 62 of 2023 and POCSO Case No. 40 of 2023, subject to the



conditions as laid down under Section 438(2) Cr.P.C/ 482(2) of the BNSS, 2023.

8. The petitioners shall remain physically present on each and every date before the learned court below till conclusion of the trial.

(Nawneet Kumar Pandey, J)

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