

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54558 of 2025

Arising Out of PS. Case No.-111 Year-2025 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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1. Birendra Rai, S/o Punit Rai R/o Village- Madhopur Susta, P.S.- Sadar,
District- Muzaffarpur
 2. Anuradha Devi, W/o Birendra Rai R/o Village- Madhopur Susta, P.S.- Sadar,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-08-2025 1. Heard learned counsel for the petitioners and
learned APP for the State.
2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Section 87 of the B.N.S.
3. The learned counsel for the petitioners submits that
the petitioner no.1 has antecedent of one case and petitioner
no.2 is a person with clean antecedent and is a woman and the
informant alleges that her minor daughter aged about 14 years
had gone to school to fill-up form but did not return, hence
alleged that her daughter was kidnapped by unknown accused.
4. The learned counsel for the petitioners submits that



the FIR was against unknown and during the course of investigation, the name of the petitioners transpired after recovery of the victim from Assam. It is next submitted that the statement of the victim was recorded under Section 180 B.N.S.S. at Assam where she stated that the petitioners were pressurizing her to marry Sunny and she disclosed the said fact to her mother. Further, on 15.02.2025, the accused persons took her to Muzaffarpur Bus Stand and got her seated with Sunny for performing marriage at Tinsukiya. Further, Sunny took her to the rented house of Manoj Rai at Assam (the father in-law of Sachin elder brother of Sunny) who had come to receive her. Further, she was convened in a room and the accused persons were pressurizing her to marry and when she refused, she was tortured. However, Sunny did not establish physical relation. It is submitted that thereafter her statement was recorded under Section 183 B.N.S.S. The statement of the victim recorded under Section 183 B.N.S.S. is similar to her statement recorded under Section 180 B.N.S.S. except to the extent that in her statement under Section 183 B.N.S.S., the victim alleges that petitioners took her to a fair and from there she was brought to Bairia Bus Stand, further that she made a call from mobile of Sunny to her mother based on which she was recovered from Assam.



5. The learned counsel for the petitioners submits that petitioners are maternal uncle and aunt of Sunny. It is next submitted that it does not appear probable that the maternal uncle and aunt knowing that victim is a minor would have kidnapped her for the purposes of marrying Sunny. It is next submitted that the victim on her own volition left with Sunny for Assam and thereafter, even informed her parents based on which, she was recovered but while getting her statement recorded, she implicated the family members of Sunny. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

6. Learned A.P.P. opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur in connection with Sadar P. S. Case No.111 of 2025, subject to the conditions laid down under Section 438(2)



of the Cr.P.C.

8. The application stands allowed.

9. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

10. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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