

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52782 of 2025

Arising Out of PS. Case No.-132 Year-2024 Thana- SARMERA District- Nalanda

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1. Shivjee Nath Chauhan @ Shivjee Nath Chaudhari S/o- Late Hulash Chaudhary R/o Village, P.S.-Bajharua Udavantnagar, District- Ara at Bhojpur
 2. Kanti Devi W/o- Shivjee Nath Chauhan @ Shivjee Nath Chaudhari Village PS-Udavantnagar District- Ara at Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi W/o- Paras Paswan R/o- Pranava Ps- Sermera Dist - Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Sumit Kumarn, Advocate
For the State : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-08-2025 Heard learned counsel appearing on behalf of the

petitioners and learned A.P.P. appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 366A, 504, 506 and 34 of the Indian Penal Code and Section 6 of the POCSO Act.

3. As per prosecution case, it is alleged that all the F.I.R. named accused persons, including these petitioners, kidnapped minor daughter of informant for the purpose of marriage.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that petitioners are quite innocent and have committed no offence. Petitioners have falsely been implicated in this case merely because they happen to be parents of co-accused Amarjeet Chauhan. During course of investigation, the victim was recovered and in her statement recorded under Section 183 of the B.N.S.S., she has denied the *factum* of kidnapping and has stated that she was in love with co-accused Amarjeet Chauhan and out of her own sweet will, she left her parental house and solemnized marriage with co-accused Amarjeet Chauhan. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, nature of accusation, statement of victim recorded under Section 183 of the B.N.S.S. and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on 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 Additional District
and Sessions Judge-7-cum-Special Judge, POCSO Court, Bihar
Sharif, Nalanda in connection with Sarmera P.S. Case No. 132
of 2024, subject to condition as laid down under Section 482(2)
of the B.N.S.S..

(Prabhat Kumar Singh, J)

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