

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58033 of 2025

Arising Out of PS. Case No.-628 Year-2021 Thana- MOTIHARI TOWN District- East
Champaran

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1. Sakshi Kumari D/o Hari Shankar Prasad @ Chhote Srivastava @ Chhotu Srivastava Resident of Ward Numbar 38, Near Shiv Mandir, Chhota Bariyarpur, Motihari, P.O and P.S- Motihari, East Champaran
 2. Preeti Srivastava W/o Hari Shankar Prasad @ Chhote Srivastava @ Chhotu Srivastava Resident of Ward Numbar 38, Near Shiv Mandir, Chhota Bariyarpur, Motihari, P.O and P.S- Motihari East Champaran
 3. Hari Shankar Prasad @ Chhote Srivastava @ Chhotu Srivastava S/o Thakur Prasad Resident of Ward Numbar 38, Near Shiv Mandir, Chhota Bariyarpur, Motihari, P.O and P.S- Motihari East Champaran
 4. Dilip Kumar Srivastava @ Pappu Srivastava S/o Thakur Prasad Resident of Ward Numbar 38, Near Shiv Mandir, Chhota Bariyarpur, Motihari, P.O and P.S- Motihari East Champaran
 5. Ravi Shankar Parasad @ Ravi Srivastava S/o Thakur Prasad Resident of Ward Numbar 38, Near Shiv Mandir, Chhota Bariyarpur, Motihari, P.O and P.S- Motihari East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ashok Ram S/o Late Shivpujan Ram R/o Chhota Bariarpur, P.S. - Chhatauni, Distt- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Archana Shahi, Sr. Advocate. Ms. Swarna Roy, Advocate.
For the Informant	:	Mr. Ansul, Sr. Advocate.
For the State	:	Mr. Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 19-08-2025 Heard Mrs. Archana Shahi, learned senior counsel along with Ms. Swarna Roy, learned counsel appearing on behalf of the petitioners; Mr. Ansul, learned senior counsel appearing on behalf of the Informant and Mr. Ajit Kumar, learned APP for the State.

2. Today, the Superintendent of Police, Motihari, East



Champaran appeared before the Court in virtual mode and has given information in respect of the development which has taken place in course of investigation and the action taken by him. I don't find to record the same in the present order as the investigation is still going on.

3. On 18.08.2025, considering the urgency expressed by the learned senior counsel appearing on behalf of the petitioners that petitioner no.1, Sakshi Kumari is to take examination which is scheduled to start from 21.08.2025 till 03.09.2025, interim protection was granted to the petitioner no.1 till the scheduled date of examination in view of the order passed by a co-ordinate Bench of this Court on 01.07.2025 by which the Superintendent of Police, Motihari, East Champaran was directed to arrest the accused within next two weeks from the date of passing of the order i.e. 01.07.2025.

4. It is the case of the petitioners that on mere suspicion, entire family members have been implicated in the present case and in that view they have also filed their individual bail application before this Court.

5. At this stage, I don't find, that any coercive action is required, however, to respect the order of a co-ordinate Bench, I restrain myself from passing any order. At the same



time, considering the circumstances which is faced by the petitioner no.1 who is a girl aged about 18 years, to leave her without any guardian would not be in the public interest.

6. In view of the interim protection already granted to petitioner no.1, similar protection is also extended to petitioner no.2 who is the mother of petitioner no.1. No coercive steps shall be taken against the petitioner nos. 1 and 2 till 10.09.2025.

7. It is informed that the bail applications have been filed on behalf of the petitioners no. 3, 4 and 5 which are pending before this Court for its hearing.

8. This order has been passed in presence of Mr. Ansul, learned senior counsel who has tendered his appearance on behalf of the informant and he admits that he had appeared in Cr.W.J.C. No. 918 of 2025 and the order dated 01.07.2025 was passed in his presence.

9. In such circumstances, the parties may avail appropriate remedy in accordance with law.

10. The present application under Section 528 BNSS stands disposed of.

(Purnendu Singh, J)

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