

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62819 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- MAHILA P.S. District- Saran

Chandrashekhar Ray @ Chandrashekhar Mukhia S/o Late Munnilal Rai
Resident of Village- Kataiya, PS- Janta Bazaar, District- Saran At Chhapra
Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Mahasweta Sinha, S.I.-cum-Informant, Mahila, P.S., Distt.- Saran Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Yashraj Bardhan, Advocate
For the State	:	Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-09-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 143(1), 145, 98 and 3(5) of Bhartiya Nyay Sanhita 2023 and sections 8, 12 of POCSO 2012 and 3, 4, 5, 6 of Immoral Traffic Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that two minor girls were recovered from 'Astha Orchestra' and petitioner is owner of the Orchestra.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the



informant. It is next submitted that no doubt petitioner is the owner of the Orchestra but then, the same is a valid business. It is next submitted that though in the F.I.R. it is alleged that victims stated that they were made to dance on vulgar songs but then victims are not minors rather are major. It is further submitted that a specific pleading has been made at para-10 of the anticipatory bail application that victims were aged 22 years and 20 years. It is next submitted that since victims are major as such, it cannot be alleged that petitioner misused his position as owner of Orchestra to recruit minor girls. It is next submitted that in the F.I.R., the age of one of the victims is recorded as 17 years while age of the other victim is not recorded. It is further submitted that in order to make the case grave, age of one of the victims was recorded as 17 years without any documentary evidence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that informant specifically alleges that two minor girls were recovered. It is also submitted that though a pleading at para-10 of the anticipatory bail application has been made that victims were aged 22 years and 20 years but no documentary



evidence in support of the same is annexed on which, the learned counsel appearing on behalf of the petitioner submits that the age of the victims was assessed by the Doctors during medical examination and the same finds recorded in the case diary.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on **provisional** anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Saran Mahila P.S. Case No. 36 of 2025, subject to the conditions as laid down under Section 482 (2) of BNSS.

7. Thereafter, the learned trial court shall call for the case diary and examine the same and if it is found that the Doctors have opined the age of victims as 22 years and 20 years, in that event, the provisional anticipatory bail shall be confirmed but if it is found that the victims were minor, in that event, the provisional anticipatory bail shall be cancelled forthwith.



8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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