

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66700 of 2025

Arising Out of PS. Case No.-410 Year-2024 Thana- KALYANPUR District- East Champaran

1. Anwar Mian @ Anwar Ansari S/o- Late Gaphur Mian Village- Medan Sirisiya PS-Kalyanpur District- East Champaran
2. Sakira Khatoon @ Sakia Khatoon @ Sakila khatoon W/o- Anwar Mian @ Anwar Ansari Village- Medan Sirisiya PS-Kalyanpur District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dhanmanti Devi W/o- Mukesh Mahto Village- Medan Sirisiya, W.No-8, PS-Kalyanpur District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-10-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 137, 96, 65(1) of the BNS, 2023 read with Sections 4 and 8 of the POCSO Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that her minor daughter on 02.12.2024 at 10:00 PM had gone to attend nature's call when the accused persons including the petitioners kidnapped her for the purposes of marriage.



4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is next submitted that petitioners being parents of Kaisar came to be implicated. It is next submitted that Kaisar and the victim were in love and they eloped. It is also submitted that victim has come back and her statement was recorded under Section 164 Cr.P.C. wherein she has supported the case of the prosecution, but has not alleged anything specific against the petitioners. It is also submitted that police after investigation submitted final form exonerating the petitioners of the allegation as alleged in the FIR, but then the learned Trial Court differing with the police report took cognizance, as such, the petitioners apprehend their arrest. It is next submitted that when one Investigating Agency after threadbare investigation came to a considered conclusion that petitioners are innocent whether it would be prudent for the Court to send the petitioners to jail based on the order of cognizance which came to be taken based on the same police report which exonerated the petitioners of the allegations.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each 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 Kalyanpur P.S. Case No. 410 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

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

(Satyavrat Verma, J)

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