

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62645 of 2025**

Arising out of PS. Case No.-112 Year-2025 Thana- SARAIYA District- Muzaffarpur

1. Vaidanti Devi @ Bedanti Devi W/o Shiv Chandra Rai R/o Village- Chakmadhua, PS- Saraiya, District- Muzaffarpur
2. Shiv Shankar Rai @ Shiv Shankar Ray Nanhki S/o Late Bhujawan Rai @ Late Bhujawan Ray R/o Village- Chakmadhua, PS- Saraiya, District- Muzaffarpur
3. Raja Kumar S/o Shiv Chandra Rai R/o Village- Chakmadhua, PS- Saraiya, District- Muzaffarpur.

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s: Mr. Anish Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      18-12-2025                      Heard Mr. Yugal Kishore, learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Saraiya P.S Case No. 112 of 2025 registered under sections 137(2), 96, 3(5) of BNS lodged on 26.02.2025 by the informant, Aarti Devi.

3. As per the prosecution story, the informant alleged that the victim was taken away by the accused persons along with family members. This led to the FIR.

4. Learned counsel for the petitioners submits that while the petitioner No. 1 is the mother of Anmol, Petitioner No. 2 is the uncle while the Petitioner No. 3 is own brother of Anmol. Actually, Anmol was in relationship with the victim girl,



they went on their own, however, once the FIR was lodged and she returned, at the behest of the family members, narrated a different story relating to role of the family members in her movement from home to Pune and further allegation against Lala and Anmol that they took her to Pune where Anmol raped her. Contention of the petitioner is that no specific allegation is assigned to mother, uncle and the own brother of the accused Anmol. The petitioners do not have criminal antecedent.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that there is specific allegation against Lala and Anmol and the petitioners are family members of Anmol.

7. Considering the submissions of the parties and there is specific allegation against Anmol and the petitioners are the family members of Anmol and also the fact that the petitioners have no criminal antecedent, in that background, this Court is inclined to grant anticipatory bail to the petitioners.

8. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of the learned ACJM-IV,



West Muzaffarpur in connection with Saraiya P.S Case No. 112  
of 2025 subject to the following conditions:-

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*.

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

Vikash/-

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**(Rajiv Roy, J)**

