

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64022 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- BASANHI District- Saharsa

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1. Karan Kumar S/o- Ramesh Mukhiya R/o Village- Mokma W.No-7, Ps-Basnahi Dist- Saharsa
 2. Rina Devi W/o- Ramesh Mukhiya R/o Village- Mokma W.No-7, Ps-Basnahi Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 24-09-2025 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 96, 351(2) and 3(5) of the BNS as well as Sections 8 and 12 of the POCSO Act, 2012.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 2 is a woman and the informant alleges that Karan Kumar and Charan Kumar kidnapped her daughter and took her to their house where their mother asked them to rape her on account of previous dispute. On alarm, the informant went to the place of occurrence where the mother of the accused threatened that this time she is saved or else would have been killed.



4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant herself alleges that on account of previous dispute, the occurrence is alleged to have taken place. It is next submitted that it does not appear probable that Karan Kumar and Charan Kumar would have kidnapped the victim and thereafter would have brought her to their house and their mother would have asked them to commit rape.

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, let 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 Basnahi P.S. Case No. 06 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

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