

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63198 of 2025**

Arising Out of PS. Case No.-125 Year-2025 Thana- BARACHATTI District- Gaya

1. Murari Singh @ Krishna Murari Singh S/O Late Ambika Singh, R/O Village-Hariya, PS-Barachatti, Distt-Gaya
2. Lalita Devi, W/O Murari Singh @ Krishna Murari Singh, R/O Village-Hariya, PS-Barachatti, Distt-Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
 2. X W/O Birbal Bhuiyan R/O Village-Hariya, PS-Barachatti, Distt-Gaya
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate
For the Opposite Party/s : Ms. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Barachatti P.S. Case No. 125 of 2025 dated 07.04.2025 instituted for the offence punishable under Sections 65(1) of the Bhartiya Nyaya Sanhita, 2023, Sections 4, 6 of the POCSO Act and Section 3(2)(va) of the Schedule Case/ Schedule Tribe (Prevention of Atrocities) Act.

3. The prosecution case, in short, is that on the alleged date of occurrence, when the informant's daughter was sitting outside her house, then one Bipin Kumar abducted her and brought her to a newly constructed house where he on gun point,



established physical relation with her.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the petitioners being the parents of co-accused, Vipin Kumar, they have been made accused in this case. Learned counsel for the petitioner submits that the victim is aged about 19 years. It is also submitted that the victim in her statement under Section 183 of B.N.S.S., stated nothing against the petitioners. Learned counsel for the petitioners further submits that from the impugned orders, it appears that as per the medical report, the age of the victim is above 19 years. Allegation against the petitioners are not of kidnapping the victim girl. It is also submitted that F.I.R. has been lodged after 3 days of the occurrence. Co-accused Vipin Kumar is already in custody since 13.05.2025. Lastly, it has been submitted that petitioner no. 1 has two criminal cases against him while petitioner no. 2 has one criminal case.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Barachatti P.S. Case No. 125



of 2025, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge POCSO-cum- District and Additional Sessions Judge-VII, Gaya Ji subject to condition as laid down under Section 482(2) of the B.N.S.S.

(Khatim Reza, J)

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