

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67765 of 2025

Arising Out of PS. Case No.-334 Year-2021 Thana- KALYANPUR District- East Champaran

Shobha Devi W/O Dhuman Das R/O Village- Pakari Dixit Tola, Hanuman
Nagar, P.S- Kalyanpur, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Badri Das S/O Late Pajha Das R/O Village- Pakari Dixit Tola, Hanuman
Nagar, P.S- Kalyanpur, Distt.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-10-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 363 and
366A of the Indian Penal Code and Section 8 of POCSO Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his daughter was kidnapped by the accused persons
including the petitioner with the help of unknown accused.

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 the statement of the



victim was recorded under Section 164 Cr.P.C, wherein she supported the case of the prosecution, but then her statement was recorded under parental pressure. It is further submitted that the trial against Sonakshi and Rambabu Singh commenced and both of them were acquitted by judgement dated 4-7-2025 in TR No. 113 of 2023 arising out of Kalyanpur PS Case No. 334 of 2021. It is submitted that from perusal of the judgement dated 4-7-2025, it would manifest that at para-9 it has been recorded that the victim was scolded by her father on account of which she left her house and went to her aunt's place and returned after 10-15 days and in her cross examination, she also stated that accused persons had not kidnapped her. It is also submitted that petitioner will not abscond rather will cooperate in the trial to prove her innocence.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her 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. 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 Kalyanpur P.S. Case No. 334 of 2021 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event if the learned trial court comes to a conclusion that the petitioner after her release is trying to delay the framing of charge or after framing of charge is trying to delay the trial, in both the conditions, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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