

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66966 of 2025

Arising Out of PS. Case No.-961 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

1. Bhagwati Devi @ Bhagwati W/O Sri Kedar Bind Resident of Village- Goraipur, P.S.- Bhabua, District- Kaimur (Bhabua).
2. Tetari Kumari D/O Sri Kedar Bind Resident of Village- Goraipur, P.S.- Bhabua, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Janki Devi W/O Arun Paswan R/O Village- Goraipur, P.S- Bhabua, Distt.- Kaimur (Bhabhua).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 17-09-2025 Heard Mr. Manish Kumar No.13, learned counsel for the petitioner and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Bhabua P.S. Case No. 961 of 2024 for the offence under Sections 96 of the BNS lodged on 05.12.2024 by the informant.

3. Prosecution case, in brief, is that the minor daughter of the informant has been enticed away for the purpose of marriage or to sell her by these petitioners and others on 02.12.2024. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to previous grudge and they have not committed any offence as



alleged in the FIR. It has further been submitted that the victim herself has appeared before the police on 24.12.2024 and in her statement recorded under Section 183 BNSS, has stated that she fled away to Amritsar with one Deepak Kharwar on her own and was staying there and further, the medical examination which was subjected to her, the victim refused to undergo such examination and the victim is major and the petitioners are said have co-operated in recovery of the alleged victim. Lastly, it has been submitted that the petitioners are ladies and have got no criminal antecedent.

5. On the other hand, learned APP opposes the prayer for anticipatory bail of the petitioners though fairly concedes that the petitioners are ladies and have got no antecedent.

6. Considering the aforesaid submissions of the parties and the statement of the victim recorded under Section 183 BNSS and the fact that the petitioners are ladies having no criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners, above named, be released on bail, in the event of arrest or surrender within a period of four weeks, from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned C.J.M, Bhabua in connection



with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the BNSS as well as the following conditions:-

- (i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her 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 his 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
- (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 his bail bonds.

(Ajit Kumar, J)

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