

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70056 of 2025**

Arising Out of PS. Case No.-57 Year-2025 Thana- BELA District- Sitamarhi
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1. Kushila Devi Wife of Rambabu Rai @ Ram Babu Ray Resident of Village - Vishnupur, Police Station - Bela, District - Sitamadhi.
2. Rambabu Rai @ Ram Babu Ray Son of Late Ram Ashish Rai Resident of Village - Vishnupur, Police Station - Bela, District - Sitamadhi.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ram Chandra Mandal S/o Ram Jinish Mandal R/o vill - Khairwa, ward no. 14, P.S.- Bela, Distt.- Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-10-2025 Heard learned Advocate for the petitioners and

learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bela P.S. Case No. 57 of 2025, registered for the offences punishable under Sections 115(2), 126(2), 137(2), 140(3) and 3(5) of Bhartiya Nayay Sanhita, 2023 and Section 8 of the POCSO Act.

3. The prosecution based on written report disclosed that the daughter and niece of the informant were enticed away by co-accused, Rajesh Kumar and Dipak Kumar. The petitioners are parents of Rajesh Kumar, who has also



been made accused in this case.

4. Learned Advocate for the petitioners taking this Court to the F.I.R., primarily, contended that the alleged occurrence took place on 15.03.2025, however, the F.I.R. came to be instituted after a delay of seven days. Only on account of petitioners being the parents of co-accused, Rajesh Kumar, who has allegedly fled away with the daughter of the informant, their names have been implicated in this case in order to put pressure though the petitioners are also not acquainted with the where-about of their sons and they are apprehending danger to the life of their son. The petitioners have nothing to do with the alleged crime in question and moreover, no case, as alleged in the F.I.R., is made out against them.

5. On the other hand, learned Advocate for the State, vehemently, opposed the bail application.

6. Regard being had to the submissions set forth by the learned Advocate for the respective parties and considering the nature of the allegation and the fact that the petitioners are none-else but the parents of co-accused Rajesh Kumar and there is no material collected during course of the investigation which suggest their complicity in



the crime, besides their fair antecedent, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-VI -cu- Special Judge (POCSO Act), Sitamarhi in connection with Bela P.S. Case No. 57 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

(Harish Kumar, J)

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