

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.5903 of 2026

Arising Out of PS. Case No.-360 Year-2023 Thana- SUGAULI District- East Champaran

1. Jhunnu Rai @ Jhunnu Kumar S/o Angad Rai Resident of village - Chikcknauta, P.S - Sugauli, District - East Champaran
2. Angad Rai S/o Late Badri Rai Resident of village - Chikcknauta, P.S - Sugauli, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X X W/o Rajan Patel Resident of village - Chikcknauta, P.S - Sugauli, District - East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar
For the State	:	Mr.Harendra Prasad
For the O. P. No. 2	:	Mr. Vijay Shankar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 5 07-05-2026
1. Heard learned Counsel for the petitioner, learned Counsel for the informant-Opposite Party No. 2 and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Sugauli Police Station Case No. 360 of 2023, dated 22.08.2023, disclosing offences punishable under Sections 341/342/366-A/376/302/120-B/201/504/506 Ipc and Section 4 of the Prevention of Children from Sexual Offences Act, 2012.
 3. The prosecution case, as per the First Information Report,



is that on 20.08.2023, at 11:30 PM, co-accused Guddu Rai, along with one another person, kidnapped the minor daughter of the informant and when the informant, along with his mother-in-law went to the house of said Guddu Rai, the petitioners, who are the brother and father of Guddu Rai, abused them. It has further been stated that on 21.08.2023, at about 12 o'clock, the informant got information about dead body of a girl east to the house of the informant, and when the informant went to that place, she found the dead body to be the dead body of her minor daughter.

4. Learned Counsel for the petitioner submits that the petitioners are innocent and have not committed any offence. He further submits that there is general and omnibus allegation against the petitioners and the specific allegation of kidnapping is against co-accused Guddu Rai, who has been acquitted by learned Additional Sessions Judge-VI -cum- Special Judge, POCSO, East Champaran, at Motihari, vide judgment, dated 23.10.2024, passed in P. Tr. No. 112 of 2023.
5. On the other hand, learned Counsel for the informant vehemently opposes the prayer for bail and submits that



the petitioners are also involved in the kidnapping and murder of the minor daughter of the informant.

6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is general and omnibus allegation against the petitioners and the main co-accused, Guddu Rai, has been acquitted in the present case, by judgment, dated 23.10.2024, passed in P. Tr. No. 112 of 2023, by learned Additional Sessions Judge-VI -cum- Special Judge, POCSO, East Champaran, at Motihari, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI -cum- Special Judge, POCSO, East Champaran, at Motihari, in connection with Sugauli Police Station Case No. 360 of 2023, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha



Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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