

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6133 of 2026

Arising Out of PS. Case No.-83 Year-2025 Thana- ANTICHAK District- Bhagalpur

Saraswati Devi Wife of Amit Kumar Choudhary @ Amit Kumar Resident of
village - Kasdi, P.S.- Antichak, District - Bhagalpur

... .. Petitioner

Versus

1. The State of Bihar
2. Y Son of Late Ramswaroop Mahaldar R/O village - Kasdi, P.S.- Antichak,
District - Bhagalpur.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Jha
For the Opposite Party/s	:	Mr. Shyam Bihari Singh
For the informant	:	Mr. Akhauri Kamal Kishore

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
28.08.2025 in connection with Antichak P.S. Case No. 83 of
2025, for the offence punishable under Section 137(2) of BNS.

3. The prosecution story, in brief, is that on 11.08.2025
at 08.00 hrs in morning, Saraswati Devi has disappeared the
informant's daughter namely the victim "x" by curing her who is
only 15 years. It is further alleged that last time some persons
has seen his daughter with Saraswati Devi at Kahalgaon.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and she has falsely been
implicated in the present case, it is next submitted that the
allegation as alleged in the FIR is forged and fabricated and the
petitioner has not committed any offence as alleged in the FIR.



5. Learned APP for the State and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submit that the victim in her statement recorded under Section 183 of BNSS has particularly stated that the petitioner took her to an unknown place where she kept her in a room and a young boy had committed rape upon her and the medical report of the victim also suggests that she has been sexually assaulted by the accused persons and on the date of occurrence the victim was minor and her date of birth is 15.02.2010 which suggests that on the date of occurrence the victim was minor.

6. Considering the nature of allegation supported by medical evidence, the Court is not inclined to enlarge the petitioner on bail in connection with Antichak P.S. Case No. 83 of 2025, pending in the court of learned Exclusive Special Judge, POCSO-cum-District and Additional Sessions Judge-VII, Bhagalpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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