

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6806 of 2026

Arising Out of PS. Case No.-223 Year-2025 Thana- RAJAON District- Banka

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1. Mamta Devi, Female, aged about 43 years, wife of Kundan Singh,
 2. Vimla Devi, Female, aged about 61 years, wife of Late Shankar Singh,
Resident Of Village- Faizpur, PS- Rajoun, Dist -Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Murari Singh son of Late Kailash Singh Resident Of Village- Faizpur, Ps-
Rajoun, Dist -Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash Dwivedi, Advocate
		Mr. Saurabh Raj, Advocate
For the Opposite Party/s	:	Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 22-04-2026 Heard Mr. Ravi Prakash Dwivedi, learned counsel

 appearing on behalf of the petitioners and Mr. Umeshanand

 Pandit, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Rajoun P.S. Case No. 223 of 2025, registered for the
offence punishable under Sections 96, 3(5) of the BNS and
Sections 8, 12 of the POCSO Act.

3. As per the allegation made in the FIR, one Basist
Kumar, son of petitioner no.1 had kidnapped the minor daughter
of the informant.

4. Learned counsel appearing on behalf of the
petitioners submitted that petitioners are innocent and they have
falsely been implicated in the present case. Learned counsel



further submitted that petitioner no. 1 is mother and petitioner no. 2 is grandmother of the co-accused Basist Kumar and no case under Sections 96 and 3(5) of the BNS is made out against the petitioners, particularly in view of the specific allegations being made against the said co-accused Basist Kumar, who has already been released on pre-arrest bail *vide* order dated 01.04.2026 passed in Criminal Miscellaneous No. 12564 of 2026 on the ground that the victim girl in her statement recorded under Section 183 BNSS has stated that her father had lodged a false case against Basist Kumar and he had not kidnapped her. Petitioners have clean antecedents. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, the fact that petitioner no. 1 is mother and petitioner no. 2 is grandmother of the main co-accused Basist Kumar, against whom specific allegation has been made in the FIR and he has already been released on pre-arrest bail *vide* order dated 01.04.2026 passed in Criminal Miscellaneous No. 12564 of 2026 on the ground that the victim girl in her statement recorded under Section 183 BNSS has stated that her



father had lodged a false case against Basist Kumar and he had not kidnapped her. Petitioners have clean antecedents. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Rajoun P.S. Case No. 223 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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