

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5989 of 2026

Arising Out of PS. Case No.-613 Year-2025 Thana- PATNA RAIL P.S. District- Patna

Babita Devi, W/O Lallu Kumar, Resident of village- Bhadaur, P.S.- Hilsa,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rashmi Jha, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Rail P.S. Patna Junction Case No. 613 of 2025, registered for the alleged offences under Section 137(2) of BNS. Subsequently, Sections 142, 143(4), 111, 61(2) of BNS and Section 81 of JJ Act were also added on 05.09.2025.

3. As per prosecution case, the infant of the informant was stolen by an unknown person, who was travelling in the same compartment of the train with the informant. The name of the petitioner came up during investigation as a lady who bought the child.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner is having clean antecedent and is in custody since 05.09.2025. The informant has not identified the petitioner in the Test Identification Parade. The stolen infant was not recovered from the possession of the petitioner, rather an unknown child was recovered from her possession whom she claims to be her child. Therefore, there is no involvement of the petitioner in stealing the child of the informant and merely on the basis of suspicion, she has been made accused in the present case. The charge sheet has been submitted against the petitioner.

5. Learned APP vehemently opposes the submission made on behalf the petitioner. The learned APP submits that recovery of one child has been made from this petitioner whose name came up in the confessional statement of co-accused.

6. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that the petitioner is a lady and further considering the submission of charge sheet, period of custody of the petitioner and her clean antecedent, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Patna/court concerned, in connection with Rail P.S Patna Junction Case No. 613 of 2025,



subject to the conditions mentioned in Section 480 (3) of BNSS
and also the following conditions :

(i) One of the bailors will be a close relative of
the petitioner.

(ii) The petitioner will remain present on each
and every date fixed by the court below.

(iii) In case of absence on three consecutive
dates or in violation of the terms of the bail,
the bail bond of the petitioner will be liable to
be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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