IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11123 of 2026

CNR No. BRHC010114522026

Arising Out of PS. Case No.-101 Year-2020 Thana- PANDARAK District- Patna

==========

1. Indradev Prasad @ Indradev Roy S/o Sita Roy Resident of - Gopkita, P.S - Pandarak, District - Patna
2. Punam Kumar S/o Indradev Prasad @ Indradev Roy Resident of - Gopkita, P.S - Pandarak, District - Patna
3. Putul Devi @ Putul Kumari W/o Mukesh Kumar Resident of - Muradpur, Sammatpur, P.S - Salimpur, District - Patna

... ... Petitioner/s

Versus

1. The State of Bihar Bihar
2. XX S/o YY Resident of - Gopkita, P.S - Pandarak, District - Patna

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Ruchi Mandal
For the Opposite Party/s : Mr.Satyendra Prasad

==========

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

7 27-10-2026 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 363, 365, 366, 366 A and 34 of the Indian Penal Code.

3. The informant alleged that on 23.09.2020, his minor daughter had gone to Pandarak Bazar for her studies, but did not return and during search, he came to know that all the accused persons including these petitioners had allegedly enticed his daughter and taken her away with an intention to get her married.

WEB COPY

4. Learned counsel for the petitioners submits that petitioners are quite innocent and have been falsely implicated in this case because they happen to be family members of co-accused Shivi Kumar. He further submits that the victim, in her statement recorded under Section 164 Cr.P.C., has specifically stated that she along with her other minor friend were kidnapped by co-accused Shivi Kumar and Mukesh Kumar and was forcibly married to co-accused Shivi Kumar. These petitioners are only alleged to have assisted other co-accused persons in the alleged offence. Learned counsel next submits that during examination-in-chief in Spl.(POCSO) Case No. 139 of 2024, the informant (father of victim), mother of victim and victim herself, in their deposition, have completely negated the prosecution case and were declared hostile by the prosecution (Annexure – 2) and thus, vide order dated 24.02.2026 passed by learned Exclusive Spl. Judge (Rape & POCSO) cum D.A.S.J. XXII, Patna, co-accused Shivi Kumar and Mukesh Kumar have already been acquitted of all the charges levelled against him. Petitioner no. 1 is father, whereas petitioner no. 2 is brother of co-accused Shivi Kumar and petitioner no. 3 is wife of co-accused Mukesh Kumar and claim clean antecedent.

5. Learned A.P.P. for the State has opposed the bail

WEB COPY

petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged 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 District Judge, Special POCSO, Patna in connection with Pandarak P.S. Case No. 101 of 2020, subject to condition as laid down under Section 438(2) of the Cr.P.C. / Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

anay

U		T	

WEB COPY