

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13152 of 2026

Arising Out of PS. Case No.-71 Year-2025 Thana- HALSI District- Lakhisarai

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1. Anchal Kumari D/o Satish Kumar Mandal @ Chatish Kumar Mandal R/o Village - Kaniyari, P.S - Halsi, District - Lakhisarai
 2. Rinku Devi W/o Satish Kumar Mandal @ Chatish Kumar Mandal R/o Village - Kaniyari, P.S - Halsi, District - Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Asharfi Mahto S/o Shri Ramrup Mahto R/o Village - Gaura, P.O - Tarhari, P.S - Halsi, District - Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Prasad, Adv. Ms. Aadya Dipti, Adv. Ms. Rishika Arya, Adv.
For the Opposite Party/s :		Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 24-06-2026 Heard learned Counsel for the petitioners and

learned APP for the State.

2. The petitioners apprehend their arrest in connection with Halsi P.S. Case No. 71 of 2025 for the offence registered under sections 137(2), 96, 3(5) of BNS.

3. As per the prosecution story, the informant alleged that his daughter has been taken away by the accused persons along with valuables of the house. Accordingly, the FIR.

4. Earlier, the Co-ordinate Bench called for the case diary and the report regarding the status of the victim girl which



has now come and as per the report submitted by the I.O., Halsi Police Station, Lakhisarai, the girl stands recovered, recorded her statement under Section 183 of the BNSS and has moved with her father in law. This report has been sent vide memo no. 1628/26 dated 17.06.2026.

5. Learned Counsel for the petitioners submit that these two petitioners are mother and sister of the boy who went away with the girl, they being in affairs for long time. However, the entire family members have been roped in.

6. Informant has appeared in this case and accept that the girl has been recovered and she has gone to the boy's house as per her will.

7. Having heard the parties, this Court can only record that when two consenting young persons move on their own, instead of facilitating their smooth journey of togetherness, the informant's side always resort to lodging of the FIR and rounding of the entire family members. As in the present case, investigation is pending, this Court will not comment further but if at the fag end of the investigation, the Police comes to the conclusion that the major boy and major girl went on their own and accordingly closes the case, appropriate action/step in accordance with law must be taken against the creator of the



FIR.

8. It is made clear that this observation has been made only if the investigation takes the Police to the conclusion that the major boy and girl moved out of their respective houses on their own.

9. So far as the relief part is concerned, the ladies are entitled for anticipatory bail.

10. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Lakhisarai in connection with Halsi P.S. Case No. 71 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail



bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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