

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16404 of 2026

Arising Out of PS. Case No.-210 Year-2023 Thana- PIPRAKOTHI District- East Champaran

1. Nagina Mahto S/o- Late Kulesar Mahto resident of village- Shampur Baithaniya Brit PS- Majhauilya District- West Champaran
2. Devpati Devi resident of village- Shampur Baithaniya Brit PS- Majhauilya District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pachiya Devi W/o- Achhelal Mahto R/v- Surajpur Bagha Tola PS- Piprakothi Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Sharma, APP
For the Informant	:	Mr. Dhandev Kumar, Advocate
		Mr. Sharfraz Ahmad, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-05-2026

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Piprakothi P.S. Case no.210 of 2023 registered under sections 366A and 34 of the Indian Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, the informant states that his 16 year old minor daughter was kidnapped by the five named accused persons. The informant further states that threats are being given to him to enter into a compromise in Piprakothi P.S. Case no.179 of 2020.



4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case only for the reason that they happen to be the relatives/*fua* and *fufa* of the FIR named accused Punit Kumar. Though the name of the petitioners transpired in course of investigation in the statement of the victim recorded under section 183 BNSS, however no overt-act has been alleged against them. The only material against them is that co-accused Punit Kumar had taken the victim to the house of the petitioners. The said Punit Kumar has been enlarged on bail vide order dated 18.11.2024 passed in Cr. Misc. no.56305 of 2024. The petitioners have no criminal antecedent and are in custody since 10.12.2025. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the informant. Learned counsel for the informant submits that the victim has taken the name of the petitioners in her statement under section 164 Cr.P.C. The victim was taken by co-accused Punit Kumar to the house of these petitioners. The said Punit Kumar had threatened that if the victim did not marry him, he would make her objectionable photographs viral.

6. Having heard learned counsel for the parties and



taking into consideration the allegations in the FIR, the material that has transpired against the petitioners in course of investigation, the co-accused Punit Kumar having been enlarged on bail vide aforesaid order dated 18.11.2024 and the petitioners having remained in custody since 10.12.2025, both the petitioners are directed to be enlarged on bail in connection with Piprakothi P.S. Case no.210 of 2023 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 6th District & Additional Sessions Judge-cum-Exclusive Special Judge, POCSO Act, East Champaran, Motihari.

(Partha Sarthy, J)

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