

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16866 of 2026

Arising Out of PS. Case No.-63 Year-2025 Thana- MAHILA P.S. District- Vaishali

Aarti Devi W/O Mukesh Thakur @ Mukesh Kumar Resident Of Village-
Chakmahaddin, Ps- Jandaha, Dist- Vaishali At Hajipur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. X D/O Mahesh Thakur Resident Of Village- Chakmahaddin, Ps- Jandaha,
pin- 844505, Dist- Vaishali At Hajipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachin Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-07-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of her
arrest in a case registered for the offences punishable under
Sections 115(2), 126(2), 64, 69, 352, 351(2), 3(5) of the B.N.S.,
Section 4 of the POCSO Act and Section 9 of the Prohibition of
Child Marriage Act.

3. The learned counsel for the petitioner submits that
from perusal of the office report dated 26.05.2026, it would
manifest that ordinary notice has been received by the father of
the opposite party no.2.

4. Since the notice has been received by father of the



opposite party no.2, hence the notice is deemed to be validly served.

5. At this stage, the learned counsel appearing on behalf of the petitioner submits that opposite party no.2 despite receiving notice chooses not to appear and contest the case.

6. The learned counsel for the petitioner submits that earlier Lalita Devi along with three others had approached this Court seeking anticipatory bail by filing Cr. Misc. No.12609 of 2026 and the same came to be allowed by an order dated 23.03.2026. It is further submitted that petitioner is a person with clean antecedent and is a woman and the informant alleges that while she was a minor, accused Rajnish forcefully married her on 18.02.2023 in a Shiva Temple, thereafter started establishing physical relation. It is next submitted that while she was an Intermediate in the Year 2025, when Mukesh, Lalita and Aarti pressurized her to leave her parental house and even gave Rs.10,000/-, thus she left her house without informing her parents and Rajnish took her to Delhi and kept at his cousin sister Rinku Devi's place. It is further alleged that after some time, they started living separately like husband and wife. It is next alleged that Rajnish used to call unknown person and made them see her. On protest, after one month, Rumi and Dilip



brought her to Patna where Lalita and petitioner received her at Danapur and brought her to Chakmahdin where Rumi forcefully tried to establish physical relation but on protest, she was assaulted and ousted, thus came to the village. Further, informant intends to stay with Rajnish.

7. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case being co-villager of Rajnish. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that informant alleges that when Rumi and Dilip brought her to Patna, she was received by Lalita and petitioner at Danapur from where she was brought to Chakmahdin where Rumi forcefully tried to establish physical relation, but on protest, she was assaulted and ousted. It is thus submitted that from perusal of the allegations as alleged in the FIR, it would manifest that Rumi did not establish any physical relation with the informant. It is next submitted that informant also alleges that she intends to stay with Rajnish which amply demonstrates that all those who are known to Rajnish has been implicated in the instant case with some allegation in order to coerce Rajnish into submission. It is further submitted that the case of the petitioner if not akin is similar to the case of Lalita Devi and others. It is



also submitted that if privilege of anticipatory bail application is granted, the petitioner will not abscond rather will cooperate in the investigation to her innocence.

8. Learned A.P.P. opposes the anticipatory bail application.

9. Considering the submissions made by the learned counsel for the petitioner and taking into consideration the fact that petitioner is a woman and is a person with clean antecedent, the petitioner, above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Mahila P. S. Case No.63 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

10. The application stands allowed.

(Satyavrat Verma, J)

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