

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22258 of 2026

Arising Out of PS. Case No.-393 Year-2025 Thana- GAYA MUFASIL District- Gaya

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1. Pintu Kumar @ Pintu Singh S/o- Late Ambika Singh Vill- Dhanawa PS- Bodhgaya Dist- Gaya Jii
 2. Mamta Kumari w/o- Pintu Kumar @ Pintu Singh Vill- Dhanawa PS- Bodhgaya Dist- Gaya Jii

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Siyaram Shahi, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1
For the Informant	:	Mr. Ujjawal Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 15-07-2026 Learned counsel for the petitioners prays for and allowed to withdraw the anticipatory bail application of petitioner no. 1, Pintu Kumar @ Pintu Singh.

2. Accordingly, anticipatory bail application of petitioner no. 1, Pintu Kumar @ Pintu Singh stands dismissed as withdrawn.

3. Heard Mr. Siyaram Shahi, learned counsel for the petitioners duly assisted by Mr. Sanjeev Kumar and Mr. Ujjawal Kumar Singh, learned counsel representing the informant as also learned APP, Mr. Bharat Bhushan.

4. The petitioner is apprehending her arrest in connection with Gaya Muffasil P.S. Case No. 393 of 2025 for the offence under sections 137(2) and 140(3) of the BNS lodged on 01.05.2025 by the informant, Kajal Kumari.

5. The FIR lodged on 01.05.2025 by the informant



Kajal Kumari alleging that her sister, Gyani Kumari was looking after the accounts of the petitioner who later abducted has escaped from the place while residing at Lakhi Bagh, Manpur, Gaya Ji.

6. As no information was forthcoming and the role of the wife (petitioner no. 2, Mamta Devi) cannot be ignored, the FIR.

7. Subsequently, the girl was recovered and made statement as would manifest from the case diary and has made allegations against the petitioner that at different places, she was taken and after making her unconscious, repeatedly made physical relationship.

8. Learned counsel for the petitioner submits that she was a tutor for the couple's children and also used to look after the account. She was regularly travelling with the petitioner no. 1, Pintu Kumar and it cannot be said that in public place, she was moving in an unconscious state. She has siphoned off money for which the petitioner no. 1, Pintu Kumar has also filed complaint.

9. So far as petitioner no. 2, Mamta Kumari @ Mamta Devi is concerned, she even accept the fact that allegation of her knowing about the entire story, no specific role has been made.

10. Learned counsel for the informant on the other hand submits that without her consent, she was sexually



exploited by the petitioner no. 1, Pintu Kumar and the role of the wife cannot be ignored.

11. Taking into account the aforesaid fact, the petitioner no. 1, Pintu Kumar @ Pintu Singh's anticipatory bail already stands dismissed as withdrawn, specific role is against him, though the name of the petitioner no. 2, Mamta Kumari @ Mamta Devi is on the record, she has no criminal antecedent and is a housewife taking care of her children, in that background, this Court is inclined to extend her the privilege of anticipatory bail with conditions.

12. Let the petitioner no. 2, Mamta Kumari @ Mamta Devi be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Gaya Muffasil P.S. Case No. 393 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner no. 2, Mamta Kumari @ Mamta Devi who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(ii) the petitioner no. 2, Mamta Kumari @ Mamta Devi



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 petitioner no. 2, Mamta Kumari @ Mamta Devi 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 petitioner no. 2, Mamta Kumari @ Mamta Devi shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of her bail bonds.

13. If, however, the petitioner no. 1, Pintu Kumar @ Pintu Singh surrenders within four weeks, the concerned Court shall take up the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

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