

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18878 of 2026

Arising Out of PS. Case No.-258 Year-2025 Thana- BANKA District- Banka

1. Jira Devi W/o Garbha Mandal R/o Village- Kathoun, PS- Katoriya, District- Banka
2. Manju Devi D/o Late Garbha Mandal R/o Village- Kathoun, PS- Katoriya, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o Y R/o vill - Lilagoda, P.S. and Distt.- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-04-2026 1. 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 offences punishable under Section 96 of the Bharatiya Nyaya Sanhita and Sections 8 and 12 of POCSO Act.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are women and the informant alleges that Manish on 3-6-2025 enticed her minor daughter and took her away with an intent to marry.

4. Learned counsel for the petitioners submits that from perusal of the allegations as alleged in the FIR, it would manifest that the informant alleges that Manish enticed her



daughter and took her away with an intent to marry and petitioners are not named in the FIR. It is next submitted that victim was recovered from the house of the petitioners and thereafter her statement was recorded under Section 180 BNSS, wherein she stated that she left home on her own volition and married Manish at Deoghar in a temple, but when her statement was recorded under Section 183 BNSS, the victim stated that she went to Banka to take admission in a school about a month back where her aunt and her daughter, i.e., petitioners, came and took her to Katoria and asked her to marry but she denied, thus was assaulted and forcibly married to Manish. It is further submitted that the statement of the victim recorded under Section 183 BNSS was recorded under parental pressure, when before the police, the victim had clearly stated that she went with Manish and performed her marriage. It is also submitted that if privilege of anticipatory bail is granted to the petitioner, the petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners and taking into consideration the fact



that petitioners are women and victim has come back and her statement was recoded under Sections 180 and 183 BNSS is dichotomic, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each 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 Banka P.S. Case No. 258 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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