

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21091 of 2026

Arising Out of PS. Case No.-506 Year-2025 Thana- BALIYA District- Begusarai

Ruby Devi @ Rubi Devi Wife of Late Sitaram Sharma Resident Of Village -
Bakhri Bazar, Ward no. 17, Ps- Bakahri, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 19-05-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ballia P.S. Case No.506 of 2025, F.I.R dated 17.11.2025 registered for the offences punishable under Sections 87, 81, 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 02.11.2025 at about 4:00 P.M., her 21-year-old daughter, Swati Kumari, had gone to the market to purchase vegetables but did not return home till evening. During the course of search, the informant allegedly came to know that Saurabh Kumar, in connivance with the present petitioner and two other co-accused persons, had



kidnapped her daughter. It is further alleged that after the daughter was traced and brought back home, she disclosed that Saurabh Kumar, with the assistance of his mother, had forcibly solemnized marriage with her and sexually assaulted her. Thereafter, when the informant approached the house of the petitioner and requested deletion of the alleged photographs and videos, all the accused persons, including the present petitioner, allegedly abused and threatened her, stating that if the daughter was not sent back, the said photographs and videos would be made viral.

4. Learned counsel for the petitioner submits that the petitioner is the mother of the co-accused, namely, Saurabh Kumar and as per the allegation, the petitioner is said to have voluntarily solemnized the marriage with the co-accused Saurabh Kumar with the victim, namely, Swati Kumari. It has next been submitted that the victim namely, Swati Kumari, is a major girl, aged about 21 years and was capable of understanding the consequences of such acts and there is no allegation of having raised an alarm at any point of time during such period, while, the victim was with co-accused, Saurabh Kumar. It is the case of the petitioner that the co-accused, Saurabh Kumar, is already under judicial custody, who is said to



have forcibly contracted marriage with the victim and also sexually assaulted the victim and has made the photographs and videos of the victim girl viral on social media platforms. It has next been submitted that in the present case, there is no question of kidnapping or abduction rather it appears to be result of family objection to the marriage. It has further been submitted that the petitioner has clean antecedent and other similarly situated co-accused persons, namely, Bhavesh Kumar and Pankaj Kumar, have been extended the privilege of anticipatory bail application by a Co-ordinate Bench of this Court.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that the victim namely, Swati Kumari, is a major girl, aged about 21 years and was capable of understanding the consequences of such acts and there is no allegation of having raised an alarm at any point of time and there is no question of kidnapping or abduction rather it appears to be result of family objection to the marriage and the petitioner has clean antecedent and other similarly situated co-accused persons, namely, Bhavesh Kumar and Pankaj Kumar, have been extended the privilege of anticipatory bail application by a Co-ordinate Bench



of this Court. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai, in connection with Ballia P.S. Case No.506 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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