

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29765 of 2026

Arising Out of PS. Case No.-192 Year-2025 Thana- BASANTPUR District- Siwan

Subi Devi W/O Vinod Ram Resident Of Village- Jagatpur Chaumukha, P.S-
Basantpur (Lakari Nabiganj), Dist.- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/O YYY Resident Of Village- Jagatpur Chaumukha, P.S- Basantpur
(Lakari Nabiganj), Dist.- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 20-07-2026 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends her arrest in connection
with Basantpur (Lakari Nabiganj) P.S. Case No. 192 of 2025,
registered for the offences punishable under Sections 137(2) and
96 of the B.N.S., 2023 and later on Sections 8 and 12 of the
Protection of Children from Sexual Offences Act was added.

3. Allegedly, on the given date and time of
occurrence, the daughter of the informant had gone to market.
However, she did not return. Later on, the informant came to
know that the accused person named in the FIR have taken
away the informant's daughter for the purpose of marriage
and/or for some illegal activities. It is alleged that in the bank



account of the informant's daughter, there was a deposit of Rs. 1,50,000/- and thus, suspicion has also been raised that the accused person may have withdrawn the amount and killed the daughter.

4. Learned Advocate for the petitioner submitted that admittedly, the name of the petitioner does not find place in the FIR. However, subsequently, when the victim was recovered and her statement was recorded under Section 183 BNSS, wherein she has stated that it is the petitioner who had forcibly sent her along with one unknown person, who later on took her to New Delhi, where he committed rape upon her. However, the statement of the victim does not inspire confidence that she left her house and went along with an unknown person without any hue and cry, and thereafter she resided in New Delhi for ten days without making any complaint. In fact, the false implication of the petitioner is due to previous enmity between the families, and the petitioner is none less but the aunt of the victim. The petitioner is a lady having fair antecedent, and she undertakes that she will fully co-operate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application.



6. Regard being had to the submissions made on behalf of the parties and considering the submissions that the petitioner is a lady, having fair antecedent, besides her undertaking that she will fully co-operate in the proceeding of the Court, let the petitioner above named be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-VI-cum-Special Judge, POCSO, Siwan in connection with Basantpur (Lakari Nabiganj) P.S. Case No. 192 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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