

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36300 of 2026

Arising Out of PS. Case No.-18 Year-2026 Thana- Benibad District- Muzaffarpur

Soniya Devi Wife Of Late Lakshmi Paswan @ Late Laxmi Paswan @ Late Banka Paswan Resident Of Village - Chhatanwara, P.S.- Gaighat, District - Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Preety Kunwar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 27-07-2026 Heard Ms. Preety Kunwar, learned counsel for the petitioner and Mr. Jai Narain Thakur, learned APP for the State.

2. The petitioner apprehends her arrest in connection with Benibad P.S. Case No.18 of 2026, dated 09.02.2026, registered for the offence punishable under Sections 137(2), 96 and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the FIR, the petitioner, along with the other co-accused persons, is alleged to have enticed away the minor daughter of the informant from her house. It is further alleged that upon returning home, the informant found the household articles scattered and was informed by the villagers that they had seen the victim accompanying the accused persons, including the petitioner.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the statements of the victim recorded under Sections 180 and 183 of the BNSS clearly indicate that the victim had not been kidnapped and had left her house on her own free will. It is submitted that the petitioner is a lady and has been implicated as an accused merely because she is the mother of the co-accused persons, namely, Rajan Kumar and Darshan Kumar, against whom similar allegations have been levelled and who have already been extended the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 22.06.2026 passed in Cr. Misc. No. 37580 of 2026. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and taking into account that similarly situated persons have already been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six



weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., Muzaffarpur (East)/Successor Court in connection with Benibad P.S. Case No.18 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the 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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