

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37690 of 2026

Arising Out of PS. Case No.-118 Year-2026 Thana- KAHALGAON District- Bhagalpur

1. Shobha Kumari @ Sobha Kumari S/O Binay Mandal @ Binay Kumar Mandal R/O Village- Khuthari, P. S. - Kahalgaon, District- Bhagalpur.
2. Guriya Kumari D/O- Binay Mandal @ Binay Kumar Mandal R/O Village- Khuthari, P. S. - Kahalgaon, District- Bhagalpur.
3. Rakesh Kumar @ Chunna Munna S/O- Shaligram Mandal R/O Village- Khuthari, P. S. - Kahalgaon, District- Bhagalpur.
4. Binay Mandal @ Binay Kumar Mandal S/O- Late Sahdeo Mandal. R/O Village- Khuthari, P. S. - Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruchi Kumari D/O- Mukesh Kumar R/O- Jaanmohammadpur, P. S. Kahalgaon, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.
For the Opposite Party/s : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-07-2026 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Kahalgaon P.S. Case No. 118 of 2026 for the offence registered under sections 69, 303(2), 115(2), 238, 324(4), 351(2), 352, 3(5) of BNS.

3. As per the prosecution story, the informant alleged that the accused, Rahul Kumar coerced her to solemnize marriage and establish physical relationship. Further, on his



instance, she left the home along with some cash amount and went to her friend's house. Allegation is that later, Tara Kumari snatched her phone and smashed it to destroy all evidence relating to her with Rahul. Later, when her relatives took her to the Rahul's house, they were abused/assaulted. Dial 112 was called when Rahul accepted her as his wife but shortly after the Police left, once again they resorted to the same story. This led to the FIR.

4. Learned Counsel for the petitioners submit that a perusal of the FIR would show that two major persons consented to relationship and allegedly solemnized marriage. These petitioners are family members inasmuch as, while the petitioner no. 1 is a married sister, petitioner no. 2, the unmarried sister, petitioner no. 3 is the cousin as also petitioner no. 4 is the father. Further, they are ready to co-operate in the investigation.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that they failed to recognize the relationship between Rahul and the lady and this led to abuse/ assault and the FIR.

6. Considering the submissions of the parties as also the averment made that Rahul is in custody, they are the family



members including the married sister/ unmarried sister, an undertaking has been given that they shall be diligently co-operating in the investigation, none have criminal antecedent, in that background, this Court is inclined to grant them the anticipatory bail with conditions.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of CJM, Bhagalpur in connection with Kahalgaon P.S. Case No. 118 of 2026 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioners 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 petitioners 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 petitioners shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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