

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38697 of 2026

Arising Out of PS. Case No.-579 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. SEEMA DEVI Wife of Chait Sahani Resident of Village- Kataha, P.S.- Motihari Muffasil, District- East Champaran.
 2. Shanti Devi Wife of Suresh Sahani Resident of Village- Kataha, P.S.- Motihari Muffasil, District- East Champaran.
 3. Babita Devi Wife of Indrajit Sahani @ Indrajeet Sahani Resident of Village- Kataha, P.S.- Motihari Muffasil, District- East Champaran.
 4. Kalawati Devi Wife of Tuntun Sahani @ Achelal Sahani @ Achhelal Sahani Resident of Village- Kataha, P.S.- Motihari Muffasil, District- East Champaran.

... .. Petitioners

Versus

1. The State of Bihar
2. X Wife of- Y Resident of Village- Karha, P.S.- Muffasil, District- East Champaran.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dewanand Tiwari, Advocate
For the Opposite Party/s : Mrs.Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-06-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Muffasil P.S. Case No. 579 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 76, 61(2), 137(2), 96, 352, 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.'), sections 3(1)(r)(s), 3(2)va of the SC/ST Act and Section 8 of the POCSO Act.



3. As per FIR, petitioners alleged to kidnap the minor daughter of the informant on the pretext that one Shanti Devi, who was ill and getting her treatment at Muzaffarpur, wanted to meet her daughter.

4. Learned counsel appearing on behalf of the petitioners submitted that the daughter of the informant was in love with co-accused Shubhlal Sahani, who is the brother of Seema Devi (petitioner no.1). It is submitted that during course of investigation, the victim recovered after 15 days, and while recording her statement under section 183 of the B.N.S.S., she says that she was kidnapped by some unknown persons without naming these petitioners or even Shubhlal Sahani. There is no allegation of sexual assault as well.

5. While concluding argument, learned counsel submitted that petitioners are ladies of clean antecedent.

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

7. In view of the aforesaid factual submissions and by taking note of the fact as the victim, after recovery, denied the allegation of kidnapping and sexual assault against these petitioners, coupled with the fact that all the four petitioners are ladies of clean antecedent, accordingly, all the four above-



named petitioners, in the event of their arrest/surrender within a period of four weeks from this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge- 6th—cum—Exclusive Special Judge, POCSO Act, East Champaran, Motihari/concerned court in connection with Muffasil P.S. Case No. 579 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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