

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48528 of 2026

Arising Out of PS. Case No.-40 Year-2026 Thana- MAHILA P.S. District- Patna

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1. Pooja Kumar @ Pooja Tripathi, W/o Sri Nilesh Ranjan Tripathi, R/o Village - Harpurnandan Naya Gaon, Parmanandpur, Sub Division - Sonpur, P.S. Sonpur, District - Saran, Bihar - 841101.
 2. Kumari Tanya Risita @ Tania Tripathi, D/o Sri Nilesh Ranjan Tripathi, R/o Village - Harpurnandan Naya Gaon, Parmanandpur, Sub Division - Sonpur, P.S. Sonpur, District - Saran, Bihar - 841101.
 3. Naman Tripathi, S/o Sri Nilesh Ranjan Tripathi, R/o Village - Harpurnandan Naya Gaon, Parmanandpur, Sub Division - Sonpur, P.S. Sonpur, District - Saran, Bihar - 841101.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nandani Mallik, D/o Late Nawal Kishore Mallik, R/o Adya Tower, Block - A, First Floor, Swamiji Sarani, Hakimpara, Near Aashirwaad Sweets, Siliguri, Dist. - Darjeeling, West Bengal, 734001.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nikhil Kumar Agrawal, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP
For the Informant	:	Mr. Rakesh Kumar Singh, Advocate
		Mr. Amit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners who apprehend arrest in connection with Mahila Thana (Patna) P.S. Case No. 40 of 2026 lodged on 17.04.2026, for the offences punishable under Sections 69, 89, 126(2), 115(2), 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the informant has alleged



that co-accused Ritik Raj Tripathi, on the pretext of marriage, developed physical relations with her, but subsequently denied for marriage. It is further alleged that when the informant approached the present petitioners, they have also denied for the said marriage.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Learned counsel further submits that ingredients of Section 69 of the B.N.S. has not been made out against the present petitioners who happen to be mother, sister and brother of co-accused Ritik Raj Tripathi respectively and rest of the allegations levelled against them are bailable in nature. Learned counsel also submits that co-accused Ritik Raj Tripathi has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 22.07.2026, passed in Criminal Miscellaneous No. 48754 of 2026.

5. Learned APP for the State opposes the prayer for bail but submits that the specific allegation levelled under Section 69 of B.N.S., is against the co-accused Ritik Raj Tripathi.

6. In the facts and circumstances of the case, let the above-named petitioners be released on bail, in the event of



their arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty Thousand only) each, as mentioned in Section 2(1)(d) of the Bharatiya Nagrik Suraksha Sanhita, 2023, to the satisfaction of the learned Exclusive Special Judge (Rape and POCSO Act), Patna, in connection with the aforementioned case, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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