

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74644 of 2025

Arising Out of PS. Case No.-213 Year-2024 Thana- BIHRA District- Saharsa

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1. Devnandan Yadav @ Devnandan Kumar @ Devnanday Yadav S/o- Ladulal Yadav R/- Belahi W.No-7, Ps- Bihra Dist- Saharsa
 2. Ritesh Kumar @ Ritesh Yadav S/o- Pawan Yadav R/- Belahi W.No-7, Ps- Bihra Dist- Saharsa
 3. Ashutosh Kumar @ Ashutosh Kumar Yadav S/o- Raju Yadav R/- Belahi W.No-7, Ps- Bihra Dist- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o- Y R/o- Rakiya W.No-7, Ps- Bihra Dist- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mrs.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under sections 96, 137(2), 65(1) & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and sections 4 & 6 of the POCSO Act and sections 9 & 10 of the Child Marriage Act.

3. As per the prosecution case, son of petitioner no. 1 took the daughter of informant with him along with cash & jewellery and when informant went to the house of the petitioner no. 1 to enquire about her daughter, she was assaulted by him (petitioner no. 1) and other co-accused persons.



4. Learned counsel for the petitioners submits that petitioner no. 1 is father of co-accused Nitish Kumar, against whom there is allegation of kidnapping, whereas petitioner nos. 2 & 3 are co-villagers of petitioner no. 1. Moreover, the victim, in her statement recorded under section 183 Bharatiya Nagarik Suraksha Sanhita, 2023, has stated that out of her free will she has solemnized marriage with son of petitioner no. 1 and leading conjugal life. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for pre-arrest bail.

6. Considering the aforesaid facts of the case, prayer for bail of these petitioners is allowed. In the event of arrest/surrender within eight weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the District and Additional Sessions Judge VI cum Special Judge, POCSO Act, Saharsa in connection with Bihra P.S. Case No. 213 of 2024, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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