

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70693 of 2025

Arising Out of PS. Case No.-98 Year-2025 Thana- ANDHRAMATH District- Madhubani

1. Raj Kumar Gupta @ Raj Kumar Sah S/o- Baidyanathi Gupta @ Baijnath Sah R/o - Narahi, P.s - Andhramath, District - Madhubani
2. Savitri Devi W/o- Raj Kumar Gupta @ Raj Kumar Sah R/o - Narahi, P.s - Andhramath, District - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/o- Y R/v- Z, The SHO Andhramath Ps- Under Dist- Madhubgani with Andhramath Dist- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP
For the O.P. No.2 : Mr. Indradeo Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 24-02-2026 Heard Mr. Arvind Kumar, learned counsel appearing on behalf of the petitioners; Mr. Anil Kumar Singh No. 1, learned APP for the State and Mr. Indradeo Yadav, learned counsel for the O.P. No.2.

2. The petitioners seek pre-arrest bail in connection with Andhramath P.S. Case No. 98/2025 registered for the offence(s) punishable under Sections 64, 351(3), 351(2) of the BNS, Section 9 of Child Marriage Restraint Act and Sections 4



and 6 of Protection of Children From Sexual Offences Act.

3. As per the allegation made in the FIR, one Gopal Gupta (son of the petitioners) deceived and sexually exploited the informant's daughter on a false promise of marriage and later married to another woman and the petitioners assaulted the victim girl when she approached their house, she was not allowed being of different caste.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the present case. The petitioners are the parents of the said accused Gopal Gupta and no specific allegation of sexual assault, harassment or abatement has been made against them. There is contradiction in the statement of victim recorded under section 180 and 183 of BNSS. The allegation is not supported by the medical report. The allegations are general and omnibus in nature. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Mr. Indradeo Yadav, learned counsel appearing on behalf of the O.P. No.2 vehemently opposed the prayer for grant of pre-arrest bail

6. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.



7. Having heard the rival submissions made on behalf of the parties, as well as, having considered the nature of allegation made in the FIR, **I am not inclined to enlarge the petitioner no.1 on pre-arrest bail.**

8. So far as, the petitioner no.2 is concerned, there are no specific or direct allegations of sexual assault, harassment, or abetment attributed to her and as such, this Court finds that the petitioner no.2 has *prima facie* made out a case to be released on pre-arrest bail.

9. The learned District Court is directed to release the petitioner no.2 on pre-arrest bail, in the event of her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned District Court where the case is pending in connection with Andhramath P.S. Case No. 98/2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

10. The learned District Court is directed to verify the criminal antecedent of the petitioner no.2 , as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner no.2 , as what has been stated



in paragraph no. 3, this order will lose its force automatically.

11. Accordingly, the present application stands disposed of.

(Purnendu Singh, J)

Ashishsingh/-

U		T	
---	--	---	--

