

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74791 of 2025

Arising Out of PS. Case No.-256 Year-2025 Thana- EKMA District- Saran

Rang Bihari Tiwari @ Rang Bihari Giri S/o Late Awadhesh Tiwari @ Late Awadhesh Giri R/o Village - Keshari Mathiya, P.S - Ekma, District - Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Taj Ahmed Khan, Police - sub - Inspector currently posted at Ekma Police Station, District - Saran Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Basant Kumar Singh, Sr. Adv. Mr. Vishesh Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Jitendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-02-2026 Heard Mr. Vishesh Kumar Singh, learned Counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Ekma P.S. Case No. 256 of 2025 for the offence registered under sections 143(1), 145, 98, 3(5) of BNS and 8 of POCSO Act and 75, 79 of Juvenile Justice (Care and Protection of children) Act and 3, 4, 5, 6 of Immoral Traffic (Prevention) Act, 1956 and 16, 17, 18 of Bonded Labour System (abolition) Act- 1976.

3. As per the prosecution story, the informant alleged that in the light of the letter issued by the National Human Rights Commission dated 25.06.2025, with the Mission Mukti Foundation Director, the Police raided the place of New Orchestra Musical Group, Shiv Shakti Orchestra and Muskan Orchestra Musical Group



and Keshari Mathiya, Chanda Gupta and Rajkumar Ji respectively who allegedly manned the said orchestras as the Co-ordinators managed to escape from the spots but some minor girls were found there. The allegation against this petitioner is that he being the owner of the New Orchestra Musical Group building, used to force the girls to dance in the program. This led to the FIR.

4. Earlier, this Court on 19.11.2025 while issuing notice to the opposite party no. 2 directed the learned APP, Mr. Jitendra Kumar Singh to file affidavit on behalf of the informant. The affidavit as also the case diary have come.

5. Learned Counsel for the petitioner submits that during the subsequent investigation, the statement of the victim girls were recorded under Section 183 of the BNSS and none of them have alleged anything wrong against the accused persons including the petitioner. They have further recorded that the girls were doing job there with the full knowledge of their respective family members. The same fact has been recorded in the counter affidavit filed on behalf of the SHO, Ekma P.S. Saran. Paragraph 9 records that the victims gave statement under Section 183 of the BNSS which has been recorded in paragraphs 72 to 78 of the case diary and they have denied any wrongdoing by the accused.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that as per the FIR, the girls were forced to perform. However, he concede that the counter



affidavit records the statements of the girls as recorded above.

6. Considering the aforesaid submissions of the parties as also the materials on record coupled with the fact that the girls have denied any wrongdoing and they have made statement under Section 183 of the BNSS, the petitioner is an aged person having no criminal antecedent, one of the co-accused, Ram Avatar Giri has been extended relief in Cr. Misc. No. 84089 of 2025, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner 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 Exclusive Special Additional Sessions Judge, (POCSO) Saran at Chapra in connection with Ekma P.S. Case No. 256 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall be appearing before the Police Station as and when required for co-operating in the investigation;

(iii) the petitioner 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;

(iv) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(v) the petitioner 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;

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

(Rajiv Roy, J)

Vijay Singh/-

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