

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75243 of 2025

Arising Out of PS. Case No.-365 Year-2025 Thana- MUFFASIL District- West Champaran

1. Chanda Devi Son of Virendra Paswan R/o Lalgah, Ward No. 05, P.S. - Bettiah Muffasil, District - West Champaran.
2. Virendra Paswan Son of Pundeo Paswan R/o Lalgah, Ward No. 05, P.S. - Bettiah Muffasil, District - West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Gupta, Adv.
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the informant	:	Mrs. Kumari Akanksha Rai, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 10-04-2026 Heard Mr. Umesh Kumar Gupta, learned Counsel for the petitioners and learned APP, Mr. Jitendra Kumar Singh for the State as also Mrs. Kumari Akanksha Rai representing the informant.

2. The petitioners apprehend their arrest in connection with Bettiah Mufassil P.S. Case No. 365 of 2025 for the offence registered under sections 96, 137(2), 3(5) of BNS.

3. As per the prosecution story, the informant alleged that his daughter has been lured by the son of the two petitioners, namely, Sunil Kumar and when confronted, was abused. This led to the FIR.

4. When the parents moved before this Court in the



present case, as the girl was not recovered till then, this Court directed the S.P., West Champaran to constitute a team under Dy.S.P. so that the girl can be recovered and the two petitioners will be providing their mobile numbers so that the whereabouts of Sunil Kumar is also ascertained. Immediately thereafter, the result came and the girl presented herself in Majhulia Police Station. The statement made under Section 183 of BNSS records that she is eighteen years of age, married the petitioners' son, Sunil and has not alleged anything against the present petitioners.

5. Learned counsel for the petitioners submit that the parents have no role to play in the matter, both are adults and moved on their own, they got implicated.

6. Learned counsel representing the informant on the other hand submits that the girl upon return, narrated a different story but then, when the statement before the Court is different, nothing further is to be added.

7. This Court would like to appreciate the steps taken by the learned APP, Mr. Jitendra Kumar Singh in communicating with the S.P., West Champaran which led to the constitution of SIT and subsequent recovery of the girl followed by the affidavit filed on behalf of the police officials.



8. Taking into account the aforesaid facts, this Court is inclined to grant them the anticipatory bail with conditions.

7. Let the petitioners 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 Chief Judicial Magistrate, West Champaran, Bettiah in connection with Bettiah Mufassil P.S. Case No. 365 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 members/relatives of the petitioners, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioners 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;

(iii) the petitioners 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;



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

(Rajiv Roy, J)

Vijay Singh/-

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