IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77471 of 2026
CNR No. BRHC011114512026

Arising Out of PS. Case No.-258 Year-2026 Thana- BANJARIA District- East Champaran

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1. Munni Kumari @ Munni Devi W/o Pramod Sah Resident of village - Amwa Tola Siswa Pashchimi, P.S.- Banjariya, District - East Champaran
2. Babita Devi @ Babita Kumari W/o Sanoj Sah Resident of village - Amwa Tola Siswa Pashchimi, P.S.- Banjariya, District - East Champaran
3. Pramod Sah @ Pramod Kumar S/o Late Devlal Sah @ Devnath Sah Resident of village - Amwa Tola Siswa Pashchimi, P.S.- Banjariya, District - East Champaran

... ... Petitioner/s

Versus

1. The State of Bihar
2. X W/o Y Resident of village - Amwa Tola Siswa West, Ward No. 09, P.S.- Banjariya, District - East Champaran

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

2 30-10-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 137(2), 96 and 3(5) of the BNS.

3. The prosecution case, in brief, is that the minor daughter of the informant, aged about 16 years, was near her house, all the accused persons came in a four-wheeler and forcibly abducted her and fled away. The informant and other villagers protested, but the accused persons allegedly overpowered them and took the girl away.

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4. Learned counsel for the petitioner submits that petitioners are innocent and have falsely been implicated in this case due to village politics. He further submitted that petitioner nos. 1 & 2 are anut, whereas petitioner no. 3 is uncle of co-accused Nandlal Kumar, against whom, there is specific allegation of abduction. Petitioners have no knowledge about the alleged occurrence and only with a view to harass entire family, petitioners have been made accused. He further submits that earlier similar case was lodged by the informant, vide Banjariya P.S. Case No. 176 of 2026, against co-accused Nandlal Kumar and others, in which, Nandlal Kumar was taken into custody on 11.03.2026 and thereafter, on the statement of daughter of informant under Section 183 B.N.S.S. wherein she denined the factum of kidnapping, he (Nandlal Kumar) was granted bail and after one & half month, present case has been lodged with similar allegation. Similarly situated co-accused has been granted anticipatory bail by this Court, vide order dated 29.09.2026 passed in Cr.Misc. No. 68354 of 2026. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances

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and the fact that similarly situated co-accused has been granted anticipatory bail, the prayer for anticipatory bail of petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M.F.C., Motihari at East Champaran in connection with Banjariya P.S. Case No. 258 of 2026, subject to condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Prabhat Kumar Singh, J)

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