IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78004 of 2026

CNR No. BRHC011139012026

Arising Out of PS. Case No.-61 Year-2026 Thana- PANDAUL District- Madhubani

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1. Rahul Kumar S/O Ramesh Chaupal @ Ramesh Mandal R/o Vill.- Bathne East, P.S.- Pandaul, District - Madhubani
2. Nirmala Devi S/O Ramesh Chaupal @ Ramesh Mandal R/o Vill.- Bathne East, P.S.- Pandaul, District - Madhubani

... ... Petitioner/s

Versus

1. The State of Bihar
2. X S/O Y R/O Z, P.s.- Pandaul, Dist.- Madhubani, in connection with Pandaul P.s.- case no.- 61/2026, Madhubani

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar Alias Ashok Karn, Adv.
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 05-11-2026 Heard the learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Pandaul P.S. Case No. 61 of 2026, F.I.R dated 18.02.2026 registered for the offences punishable under Sections 137(2), 96, 64(1), 140(3) of the BNS.

3. According to prosecution case, on 15-02-2026, at about 2:30 p.m., his 16-year-old daughter left the house to pluck leaves for goats but did not return. During the search, he came to know that the FIR-named accused, Deepak Chaupal, had

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enticed and kidnapped the victim with the intention of marrying her. It is further alleged that when a village panchayat was convened, the accused person refused to accept the Panchayat's decision and threatened the informant with dire consequences.

4. Learned counsel for the petitioners, by referring to the observation made in the impugned order, submits that in the impugned order, it has categorically been observed that the specific allegation is against the principal accused, Deepak Chaupal, in reference to the statement recorded by the victim under Section 183 of BNSS, as she was in love with Deepak Chaupal for the last three years and had voluntarily solemnised marriage in the Kali Mandir, and it has also been observed that they are living as husband and wife in a rented accommodation..

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances, particularly the specific observation made in the impugned order that the principal allegation is against the co-accused Deepak Chaupal, coupled with the fact that nothing specific has been alleged against these petitioners, from the observation made in the impugned order, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

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7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge, (POCSO Act), Madhubani, in connection with Pandaul P.S. Case No. 61 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

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

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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

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take steps for cancellation of the bail bonds;

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

(Ajit Kumar, J)

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