

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79597 of 2025

Arising Out of PS. Case No.-147 Year-2024 Thana- MAHINDWARA District- Sitamarhi

Sunil Pandit son of Bhola Pandit @ Bhola Pandti Resident of village- Mauna PS -Mahindwara Distt -Sitamarhi

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. XYZ Wife of Pawan Pandit Resident of village- Mauna PS -Mahindwara Distt -Sitamarhi

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 79159 of 2025

Arising Out of PS. Case No.-147 Year-2024 Thana- MAHINDWARA District- Sitamarhi

- 1. Awadhesh Kumar @ Awadesh Kuma S/o- Surendra Pandit Resident of Village-Mahindwara PS- Mahindwara Distt- Sitamarhi
- 2. Pappu Kumar S/o- Umesh Pandit Resident of Village-Mauna PS- Mahindwara Distt- Sitamarhi

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. XYZ W/o- Pawan Pandit Resident of Village-Mauna PS- Mahindwara Distt- Sitamarhi

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 79597 of 2025)
For the Petitioner : Mr. Shanti Bhushan Singh, Advocate
For the State : Mr. Aditya Narayan Singh 1, APP
(In CRIMINAL MISCELLANEOUS No. 79159 of 2025)
For the Petitioners : Mr. Shanti Bhushan Singh, Advocate
For the State : Mr. Aditya Narayan Singh1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-04-2026 Heard learned counsel appearing on behalf of the

petitioners and learned APP appearing on behalf of the State.



2. Since both these petitions arise out of the same P.S. case they are being taken up together and disposed of by this common order.

3. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 96 and 3(5) of the B.N.S. and Section 8 of the POCSO Act.

4. As per prosecution case, it is alleged that all the F.I.R. named accused persons, including these petitioners, kidnapped minor daughter of informant.

5. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, both parties are co-villagers and petitioners have falsely been implicated in this case due to village politics. The present F.I.R. has been lodged after inordinate delay of four days and there is no plausible explanation for the same which itself makes the entire prosecution case doubtful.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. and there is specific accusation that they, along with other accused persons, kidnapped minor daughter of informant.



During investigation, the victim was recovered and in her statement recorded under Section 183 of the B.N.S.S., she has supported the prosecution case and has named these petitioners as persons who kidnapped her. The learned trial court has assessed the age of victim as 16 years.

7. Considering the facts and circumstances of the case, specific and direct nature of accusation, gravity of offence and statement of the victim recorded under Section 183 of the B.N.S.S., the prayer for grant of anticipatory bail to the petitioners is rejected and both these bail applications are dismissed.

(Prabhat Kumar Singh, J)

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