IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80035 of 2026

CNR No. BRHC011159422026

Arising Out of PS. Case No.-58 Year-2026 Thana- MARAUNA District- Supaul

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1. Saraswati Devi @ Sarshawati Devi Wife of Rajkumar Yadav @ Rajkumar Raman Resident of Village- Maurkiyahi, Ward No. 10, P.S.- Nadi, District- Supaul.
2. Puja Kumari Wife of Rajkumar Yadav@ Rajkumar Raman Resident of Village- Maurkiyahi, Ward No. 10, P.S.- Nadi, District- Supaul.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioners and learned APP for the State.

02. Learned counsel for the petitioner seeks permission to make necessary correction in paragraph-1 of the petition.

03. As prayed, he is directed to do so in course of the day.

04. In the present case, the petitioners seek bail in connection with Marauna P.S. Case No. 58 of 2026 registered for the alleged offences under Sections 126(2), 115(2), 137(2), 87, 64, 142, 120(1), 303(2), 352, 351(2) r/w 3(5) of the

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Bharatiya Nyaya Sanhita, 2023 and Section 3 and 4 of the Dowry Prohibition Act.

05. As per the prosecution case, co-accused Rakesh Kumar and other co-accused persons forcibly gagged the mouth of the informant and kidnapped her. Co-accused committed rape with her and also called other co-accused persons who threatened the informant telling her to solemnize marriage with co-accused Rakesh Kumar. At gunpoint, they also made the informant put her signature on blank paper and thereafter, they showed her marriage certificate. After this episode, the informant was kept in a house where the petitioners were present who snatched the ornaments of the informant and other co-accused persons told the informant to demand of Rs. 20 lacs from her father. When they were talking about selling the informant, she fled away and somehow approached her parents and thereafter, this case was lodged.

06. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners are the mother and the sister of the co-accused Rakesh Kumar and they have been made accused due to grudge of the informant. The co-accused Rakesh Kumar has performed second marriage with the informant which was being

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protested by the petitioner. The first wife of the co-accused Rakesh Kumar has lodged an FIR bearing Nadi P.S. Case No. 13 of 2026. Learned counsel further submits that the prosecution story is not believable. The informant herself claimed to be aged about 19 years and she travelled to different places and stayed for three months with co-accused person, and still, did not make any protest. The allegation of snatching ornament is merely a superaddition. The petitioners are having antecedent of one case which was instituted by the first wife of the co-accused Rakesh Kumar. The petitioners are in custody since 20.08.2026.

07. Learned APP for the State opposes the submission made on behalf of the petitioner.

08. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the improbable nature of allegation and the period of custody of the petitioners who are both ladies, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul/court concerned in connection with Marauna P.S. Case No. 58 of 2026, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

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(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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