

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84518 of 2025

Arising Out of PS. Case No.-376 Year-2025 Thana- PAKRIDAYAL District- East Champaran

1. Urmila Devi W/O Mahaveer Sah
 2. Abhishek Kumar S/O Mahaveer Sah
- Both are R/O Vill.- Dhanauji, P.S.- Pakaridayal, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XX S/O Baiju Prasad Sah R/O Vill.- Dhanauji, P.S.- Pakaridayal, Dist.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr.Uday Chand Prasad, APP
For the informant	:	Mr. Shahid Jawed, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 04-05-2026 Heard Mr. Abhishek Kumar; learned counsel appearing on behalf of the petitioners and Mr. Uday Chand Prasad, learned APP for the State and Mr. Shahid Jawed, learned counsel for the informant.

2. The petitioners seek pre-arrest bail in connection with Pakridayal P.S. Case No. 376 of 2025 registered for the offence(s) punishable under Sections 96,3(5), of the BNS and Sections 8 and 12 of POCSO Act.

3. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have been falsely implicated in the present case. It is further submitted that



petitioner no.1 is the mother and petitioner no.2 is the brother of the co-accused, Sachin Kumar. Learned counsel contends that the son of petitioner no.1 and the informant's daughter were in a consensual relationship, which has been duly acknowledged by the girl in her statement recorded under Section 183 of the BNSS. In the said statement, she has also stated that she has solemnized marriage with Sachin Kumar and wishes to reside with him. It is further submitted that the petitioners have clean antecedents.

4. Learned counsel for the informant and learned APP appearing on behalf of the State have vehemently opposed the prayer for grant of pre-arrest bail.

5. Having heard the rival submissions made on behalf of the parties and upon perusal of the allegations made in the FIR, as well as, the statement of the victim recorded under Section 183 of the BNSS, it appears that the son of petitioner no.1 and the informant's daughter were in a relationship, which has been acknowledged by the girl in her statement recorded under Section 183 BNSS. She has further stated that she has solemnized marriage with son of the petitioner no.1 and wishes to live with him. Considering the aforesaid facts and circumstances, the petitioners, being the mother and brother of



co-accused Sachin Kumar, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 7th District and Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari / Concerned Court in connection with Pakridayal P.S. Case No. 376 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

6. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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