

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85113 of 2025

Arising Out of PS. Case No.-366 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

1. Arti Devi Wife of Saroj Jha Resident of Village- Bijharauli, P.S.- Tisiauta, District- Vaishali
2. Chandra Kala Devi W/O Late Upendra Jha Resident of Village- Bijharauli, P.S.- Tisiauta, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Indu Devi W/O Arvind Rajak Resident of Village- Uttari Dhamoun, P.S.- Patory, District- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-03-2026 Despite valid service of notice, none appears on behalf of the opposite party no. 2.

2. Heard learned counsel for the petitioners and the State.

3. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 363, 366(A)/34 of the Indian Penal Code and Sections 4, 17 of the Protection of Children from Sexual Offences Act.

4. As per F.I.R., on 29.05.2023 at about 7 AM, minor daughter of the informant went to school but did not return. Upon search informant came to know that co-accused Shyam



Sundar Rai and Sonu Kumar have kidnapped her.

5. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Petitioners are not named in the F.I.R. and their names transpired during investigation on the basis of confessional statement of the victim wherein she stated that these petitioners used to beat her when she denied to cook food. As a matter of fact, when victim was found alone near Manhar Bazar, Vaishali, local people married her to co-accused Sanoj Kumar Jha @ Raushan Jha, who is son of petitioner no. 2. Domestic dispute arising out of marital discord led to institution of this case. Petitioners claim clean antecedent.

6. Learned A.P.P. for the State vehemently opposed the bail application.

7. Considering the nature of accusation, clean antecedent and other facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, 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 Additional Sessions Judge-VI-cum-Special Court



(POCSO) Act, Samastipur in connection with Patory P. S. Case
No. 366 of 2023, subject to condition as laid down under
Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,
2023.

(Prabhat Kumar Singh, J)

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