

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87003 of 2025

Arising Out of PS. Case No.-222 Year-2025 Thana- SIKARPUR District- West Champaran

1. Golu Sai Son of Wahid Sai @ Tuntun Dewan @ Tuntun @ Vadal Wahid Sai R/o Village - Binwalia Mahuawa, Ward no. 4, P.S. - Shikarpur, Dist. - West Champaran.
2. Wahid Sai @ Tuntun Devan @ Tuntun @ Vadal Wahid Sai Son of Late Amir Sai R/o Village - Binwalia Mahuawa, Ward no. 4, P.S. - Shikarpur, Dist. - West Champaran.
3. Rukhsana Khatoon @ Kashana Khatoon W/o Wahid Sai @ Tuntun Dewan @ Tuntun @ Vadal Wahid Sai R/o Village - Binwalia Mahuawa, Ward no. 4, P.S. - Shikarpur, Dist. - West Champaran.
4. Fida Husain @ Fida Husain Sai Son of Lal Babu Sai R/o Village - Madhopur, Bairiya, P.S. - Gaunaha, Dist. - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rizvanullah Gaddi Son of Late Shamful Gaddi R/o Village - Panchamwa Ward no. 12, P.S. - Shikarpur, Dist. - West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jainendra Kumar Pushkar, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-03-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 318(4), 137, 303(2), 137(2), 96, 84, 316(3), 82(1) and 3(5) of the BNS, 2023 read with Section 8 of the POCSO Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no.



3 is a woman and the informant alleges that on 25.02.2025, his both the daughters at 10 PM went to attend call of nature, but did not return, on search, it transpired that even Rs. 3 Lakhs was missing, on inquiry it further transpired that Jubair runs a CSP and from his mobile number, his daughters were contacted and on pretext of marriage, Abdul and Golu got an amount of Rs. 2,39,000/- deposited in the said mobile, next alleges that about six months back, Intezar along with Abdul and Golu had come on a motorcycle and when villagers questioned, they fled leaving the motorcycle, thus, alleges that accused persons got the amount deposited in the aforesaid mobile and enticed his daughter who left with Rs. 61,000/-

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant being brothers and parents of Abdul. It is further submitted that Abdul and the elder daughter of the informant were in love and thus they eloped and even performed their marriage. It is next submitted that younger daughter of the informant had gone to drop her elder sister at the station from where she eloped with Abdul and thereafter the younger daughter came back home. It is next submitted that victim and Abdul have performed their marriage and they are living as



husband and wife. It is next submitted that Abdul Wasi Sai, with whom the daughter of the informant performed her marriage, was arrested, but then was granted the privilege of regular bail by an order dated 12.12.2025 in B.P. No. 4267 of 2025 passed by the learned Additional Sessions Judge-cum-Special Judge (POCSO), West Champaran, Bettiah. It is asserted and submitted that victim is living with Abdul. It is also submitted that since Abdul has been granted the privilege of regular bail, as such, no useful purpose would be served by sending the petitioners to jail who had absolutely no role in the occurrence. It is also submitted that the statement of the victim was recorded under Section 183 BNSS wherein she has not supported the case of the prosecution.

5. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in



connection with Shikarpur P.S. Case No. 222 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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