

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88634 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- SC/ST District- Madhepura

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1. Santosh Mandal @ Santosh Kumar Mandal Son of Sri Yogendra Mandal Resident of Village- Bidiranpal, Ward No. 03, P.S.- Udakishunganj, District- Madhepura
 2. Phoolwati Devi Wife of Sri Santosh Mandal Resident of Village- Bidiranpal, Ward No. 03, P.S.- Udakishunganj, District- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. XX Wife of YY Resident of Village- Madhukarchak, Bhatta Tola, Ward No. 08, (Rajak Tola), P.S.- Bihariganj, District- Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh
For the Opposite Party/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Madhepura SC and ST P.S. Case No. 51150182500005 registered for the offence under Sections 126(2), 115, 76, 352, 351(2), 351(3) and 3(5) of the BNS, under Section 8/12 of the POCSO Act and under Section 3(1)(r), 3(1)(s), 3(1)(w), 3(2)(va) of the SC and ST Act.

3. As per the prosecution case, the petitioners are the father and mother of one Raunak Kumar, who is said to have tried to commit rape with the minor victim.



4. It has been submitted by the learned counsel for the petitioners that the petitioners are innocent and they falsely been implicated in this case only because of the fact that they are parents of Raunak Kumar. He next submits that the FIR has been lodged after a delay of 17 days.

5. Considering the aforesaid facts, this application is allowed.

6. Let the petitioners, above named, in the event of their arrest or surrender before the concerned Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-VI-cum-Special Judge, Madhepura in connection with Madhepura SC and ST P.S. Case No. 51150182500005, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

(Sandeep Kumar, J)

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