

**In the Court of 6th District & Addl. Sessions Judge-Cum-Exclusive Special Judge,
POCSO Act, East Champaran, Motihari, Bihar.**

(Present:- Amlesh Kumar Singh)

A.B.P No. 1322/2026

(Arising out of Jharokhar P.S Case No. 20/2026)

1. Sabita Devi, W/o- Ram Biswas Das, aged about- 40 years,
2. Ram Niwas Das, S/o- Jaymangal Das, aged about- 38 years,
3. Dharmendra Das, D/o- Jaymangal Das, aged about- 35 years,
4. Ram Biswas Das, S/o- Jaymangal Das, aged about- 45 years,
All are r/o village- Athmuhan, P.S- Jharokhar,
District- East Champaran..... Petitioners.

Versus

State of Bihar.....Opposite Party.
For the Accused-petitioner:- Sri Amit Ranjan, learned advocate.
For the State :- Sri Mani Kumar, Learned Special P.P.

Dated- 08.04.2026.

ORDER

1. This application has been filed for grant of anticipatory bail petition on behalf of the accused persons namely 1. Sabita Devi, 2. Ram Niwas Das, 3. Dharmendra Das, & 4. Ram Biswas Das in connection with Jharokhar P.S. Case no. 20/2026, registered under sections 137(2), 87 of B.N.S., & Section- 8 of POCSO Act.

Heard arguments of Ld. Counsel appearing for the accused petitioners & Ld. Spl. P.P. for the State.

Ld. Counsel on behalf of the petitioner submits before the court that no any other anticipatory or regular bail petition of any nature has been filed on behalf of petitioners, either in this Ld. Court or before any Superior Court. Petitioners have no any criminal antecedents. Petitioners are quite innocent and have committed no offence as alleged and have falsely been implicated in this case malafidely due to dirty village party politics. The allegation whatsoever levelled against the petitioner is out and out false and concocted. Victim has already been recovered and her statement u/s- 183 of B.N.S.S., has been recorded in which she has not stated anything adverse against the petitioners. Petitioners have nothing to do with the alleged occurrence. So, alleged sections of B.N.S., & POCSO Act are not attracted against them. Therefore, they may be released on anticipatory bail.

2. Ld. Spl. P.P. for the state, opposed the prayer for anticipatory bail and submits

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before the court that the F.I.R has been lodged against the accused-petitioners for kidnapping the minor sister of the informant. The allegations are quite serious and clearly against the society. Therefore, their anticipatory bail petition may be rejected.

3. Heard both the parties and perused the record, the court finds that the F.I.R has been lodged u/s- 137(2), 87 of B.N.S., & Section- 8 of POCSO Act, against five accused-persons including present petitioners. It has been alleged by the informant that on 07.02.2026 at about 06:00 o' clock in the evening co-accused person namely Govind Kumar has kidnapped his minor sister when he was not present at his home & present accused petitioners were also indulged in kidnapping of his minor sister. Co-accused Govind Kumar also took away some ornaments from informant's house. Informant has firmed belief that accused persons including present petitioners has kidnapped his minor sister with ill intentions. Hence, this case was lodged. After further perusal of the evidences available on the record the court finds that victim has been recovered and her statement u/s- 183 of B.N.S.S., has been recorded. In her statement she has not stated anything adverse against present accused-petitioners. She has not even whispered the name of accused-petitioners in her statement. It seems that the allegation of kidnapping is not direct against them.

Therefore, after considering the facts and evidences available on the record this court is inclined to grant anticipatory bail to the accused-petitioners namely 1. Sabita Devi, 2. Ram Niwas Das, 3. Dharmendra Das, & 4. Ram Biswas Das. They are directed

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to be released on anticipatory bail in case of their surrender or arrest before the present court, after furnishing of bail-bond of rupees 10,000/- with two sureties of like amount each within four weeks from the date of passing of this order, with the further condition that one bailer will be their relative and they will co-operate the process of investigation.

(Dictated)

Sd/-

(Amlesh Kumar Singh)

6th District & Addl. Sessions Judge
cum Exclusive Special Judge POCSO Act,
East Champaran, Motihari.