

**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. 1788/2026

(Arising out of Mahila P.S Case No. 133/2025)

1. Naresh Sahani, S/o- Bashistha Sahani, aged about- 48 years,

2. Sunita Devi, W/o- Naresh Sahani, aged about- 41 years,

All are r/o village- Fursatpur Bairiya, P.S-Muffasil,

District- East Champaran..... Petitioners.

Versus

State of Bihar.....Opposite Party.

For the Accused-petitioners:- Sri Lakhindra Rai, learned advocate.

For the State :- Sri Mani Kumar, Learned Special P.P.

Dated- 18.05.2026.

ORDER

1. This application has been filed for grant of anticipatory bail petition on behalf of the accused persons namely 1. Naresh Sahani, & 2. Sunita Devi in connection with Mahila P.S. Case no. 133/2025, registered under sections 65(1), 89, 351(3), 351(2), 3(5) of B.N.S., & Section- 4,6 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 petitioners 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 are quite innocent and have falsely been implicated in this case due to dirty party politics with a view to blackmail and demolish their image. Petitioners have no any criminal antecedents. The allegations are whatsoever levelled against the petitioners are out and out false and concocted. Petitioners have nothing to do with the alleged occurrence & they have dragged in this case only because they are the family members of prime accused in this case. So, alleged sections 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 before the court that the F.I.R has been lodged against the accused-petitioners on the basis of the written-report of the informant(victim). 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- 65(1), 89, 351(3), 351(2), 3(5) of B.N.S., & Section- 4,6 of POCSO Act, against five accused-persons including present petitioners. In the F.I.R the informant (victim) alleges that the co-accused person Rohit Kumar from her village has been establishing physical relationship with her for last two years after persuading her under the pretext of having marriage with her. From that relationship she conceived pregnancy and later on, he aborted it after making her to consume medicines. On 14.12.2025, co-accused persons along with present petitioners entered into the informant's house

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and tried to kill her after finding her alone. When she cried for help, her neighbors gathered and the accused persons fled away from the scene. After that, the co-accused persons used to threaten to assault her physically, when she asks about her marriage with the main accused Rohit Kumar. Hence, this case was lodged. The investigation is still going on. After further perusal of the evidences available on the record the court finds that 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. Victim is informant herself. It seems that the allegations are 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. Naresh Sahani, & 2. Sunita Devi. They are directed 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, 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.