

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9966 of 2025

Arising Out of PS. Case No.-223 Year-2024 Thana- JOGBANI District- Araria

- 1. Md. Mujjit @ Majid @ Md. Majjit, aged 64 Yrs. (M), Son of Late Mohammad @ Mohammad Miya
 - 2. Hamida Khatoon, aged 60 yrs (M), Wife of Md. Mujjit @ Majid @ Md. Majjit
 - 3. Md. Saddu @ Saddu @ Md. Salim, aged 37 yrs (M), Son of Md. Majjit @ Majid @ Md. Majjit
 - 4. Md. Guddu @ Md. Jamil Akhtar, aged 39 yrs (M), Son of Md. Majjit @ Majid @ Md. Majjit
- All are Resident of village - Ahamadpur, Ward No. - 13, P. S.-Jogbani, Dist-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 12-05-2025 Heard Mr. Ramesh Kumar Singh, learned counsel appearing on behalf of the petitioners and Mr. Umesh Lal Verma, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Jogbani P.S. Case No. 223 of 2024 registered for the offence(s) punishable under Sections 137(2), 96, 3(5) of the BNS.

3. As per the allegation made in the FIR, son of the petitioners no.1 and 2 had kidnapped the minor daughter of the informant.



4. *Vide* order dated 21.03.2025, case diary along with statement of the victim recorded under Section 164 Cr.P.C. was called for. The same has been produced. I have perused the statement of the victim, from which it appears that victim has admitted that she was in love relationship with one Md. Mustaque, who is son of petitioners no.1 and 2. She has also admitted that she has willingly gone along with co-accused Md. Mustaque. Petitioners no.3 and 4 are own brothers of Md. Mustaque and sons of petitioner nos.1 and 2.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the extent that victim was minor on the date of alleged offence and recording her statement under Section 164 Cr.P.C./183 BNSS.

6. Having heard the rival submissions made on behalf of the parties, I find that petitioners no.1 and 2 are father and mother and petitioners no.3 and 4 are own brothers of co-accused Md. Mustaque with whom the victim had married, I am of the opinion that petitioners have, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks



from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jogbani P.S. Case No. 223 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Purnendu Singh, J)

Sanjay/-

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