

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12742 of 2025

Arising Out of PS. Case No.-370 Year-2024 Thana- KISHANGANJ District- Kishanganj

Md Farhan S/o Late Md Sakir Alam R/o vill - Sontha, ward no. 3, P.S.-
Kochadhaman, Distt.- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Ms. Anita Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kishanganj P.S. Case No. 370 of 2024 instituted for the
offences under Sections 319(2), 318(4), 323, 340(2), 3(5) and,
later on added Sections 111(3), 111(4), 308(5) of the B.N.S.,
2023 and Sections 66(D), 66(E) and 67 of the I.T. Act.

3. Based upon the written report, it is alleged that the
informant, who is engaged in sending the people to Macca-
Madina for Haz and Umrah received a phone call, where the
caller has disclosed his name as Shahnawaz and said that his
parents are willing to go Macca for Haz. On the said
information, the informant reached at the place of occurrence



along with three persons on a motorcycle. When the informant reached in the house, he was locked inside a room, where a girl was sitting from before without any clothes. Until the informant could understand, all the boys entered in the room and started assaulting him. By showing the videographs on their mobile, the accused person extracted Rs. 1,50,000/- from the informant through mobile pay phone. Later on, the accused also realized Rs. 70,000/- from the informant. The accused persons also threatened and blackmailed the informant and also demanded more amount. The informant received a phone call from another mobile, the caller asked the informant to bring the rest of the money. On information given by the informant, the said person was apprehended, who disclosed his name as Md. Farhan (the petitioner). On interrogation, he further confessed the name of other accomplice as Jeva, Najmin, Asgar @ Asghar Alam and Naqui Anwar. The informant further stated that the accused persons returned Rs. 2,54,000/- and mobile of the informant, however, they did not return the rest Rs. 31,000/-.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to local politics and ulterior motive. He further submits that



the petitioner has never violated any privacy nor has published the obscene material. The petitioner has no concern with the alleged occurrence and, as a matter of fact, the alleged occurrence has never taken place. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has also no concern with the alleged mobile which is mentioned in the F.I.R. He further submits that the date of occurrence is 18.09.2024 but, the F.I.R. was lodged on 21.09.2024 without there being any plausible explanation for such delay which creates doubt in the veracity of the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 28.10.2024 without any rhymes or reason. Learned counsel for the petitioner again submits that the co-accused namely Nazmeen @ Naziya Begum and Naqui Anwar have been granted bail by this Court vide orders dated 07.02.2025 & 28.02.2025 passed in Cr. Misc. No. 6303 of 2025 & Cr. Misc. No. 14191 of 2025 respectively. He further submits that the co-accused Jeba @ Roshni Praween @ Jeba Ansari @ Jebi Koshar has also been granted bail by this Court vide order dated 10.04.2025 passed in Cr. Misc. No. 19658 of 2025.

5. On the other hand, learned A.P.P. for the State has



vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.

6. At this stage, learned counsel for the petitioner submits that the petitioner is ready to pay the remaining amount i.e. Rs. 31,000/- in the account of the Informant, as has been mentioned in the F.I.R. itself, within a period of one month after his release on bail.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the prayer for bail based on parity and the undertaking given by the learned counsel for the petitioner, as stated above, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kishanganj P.S. Case No. 370 of 2024, subject to the following conditions;

(i) The petitioner will pay the remaining amount i.e. Rs. 31,000/- in the bank account of the Informant within a period of one month after his release on bail.

(ii) One of the bailor(s) shall be the own/close family members of the petitioner.



(iii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(iv) In case of non-compliance of any of the terms and conditions, stated herein above, the prosecution will be at liberty to move for cancellation of the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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