

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19869 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- MANSI District- Khagaria

1. Funni Khatoon @ Feeroza Khatoon W/o Md. Sharfuddin Ahmad @ Saiffu Uddin Resident Of Village- Hussaina Salehchak, Ps- Balia, Distt.- Begusarai
2. Faizur Rehman S/o Masihur Rahman Resident Of Village- Hussaina Salehchak, Ps- Balia, Distt.- Begusarai
3. Md. Sharfuddin Ahmad @ Saif Uddin S/o Late Md. Zainuddin Ahmad Resident Of Village- Hussaina Salehchak, Ps- Balia, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Bindhyachal Singh, Sr. Advocate Ms. Nikita Mittal, Advocate
For the State	:	Mr. Shyameshwar Dayal, APP
For the Informant	:	Mr. Rajesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-04-2025 Heard learned senior counsel appearing on behalf of the petitioners, learned A.P.P. appearing on behalf of the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 316(2), 303(2), 351, 352, 137(2), 140(3) and 3(5) of the B.N.S..

3. As per prosecution case, these petitioner, along with other F.I.R. named accused persons, are alleged to have kidnapped two minor daughter of informant and when she asked for her daughters to be returned, Petitioner No. 2 is alleged to have asked her to marry his brother-in-law, co-accused Md.



Imtiyaz and transfer the property and house in his name.

4. It is submitted by learned senior counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, there is dispute between informant and co-accused Md. Imtiyaz over proper distribution of benefits received after death of her husband who was working in Nagaland Government. It is further submitted that the victims in their statement recorded under Section 183 of the B.N.S.S. have denied the *factum* of kidnapping and have not alleged any wrong against these petitioners. Police, after investigation, submitted final form in favour of these petitioners, however, differing with the same, cognizance has been taken against these petitioners. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the general and omnibus nature of accusation, statement of victims recorded under Section 183 of the B.N.S.S. and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within



a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagariya in connection with Mansi P.S. Case No. 216 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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