

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16127 of 2025

Arising Out of PS. Case No.-54 Year-2024 Thana- ALINAGAR District- Darbhanga

Md Danish Son of Md. Khlil @ Mohammad Khalil @ Md. Khaleel Resident
of Village -Sisauni, Police Station- Alinagar, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

8 18-09-2025 Heard learned counsel appearing on behalf
of the petitioner and learned APP appearing on behalf
of the State.

2. The petitioner seeks bail in connection with
Alinagar P.S. Case No. 54/2024, registered for the
offence under Sections 363, 366(A)/34/365 of the
Indian Penal Code.

3. The accused/petitioner is named in the F.I.R.
and is in custody since 05.09.2024.

4. The allegation against the petitioner is to
kidnap the minor daughter of the informant aged
about 15 years, for the purpose of illicit
intercourse/marriage with another person.

5. Learned counsel appearing on behalf of the
petitioner submitted that the thrust of allegation is



available against co-accused Prince Kumar, who was in love affairs with the minor daughter of the informant. It is submitted that petitioner was not even acquainted with co-accused Prince Kumar and he talked twice with Prince Kumar on the date of occurrence for the reasons that he was engaged as a D.J. on the occasion of marriage of the sister of this petitioner. It is submitted that for said reason only, the petitioner made call to main co-accused Prince Kumar. It is submitted that except call details report, nothing incriminating appears against this petitioner during investigation and this fact was also supported by other independent witnesses during course of investigation. It is also pointed out that the charge-sheet in this matter was not submitted under POCSO Act. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence and, moreover, petitioner is a man of clean antecedent.

6. Learned APP while opposing the prayer of bail could not disputed the aforesaid factual submission. It is pointed out that police has information that victim is residing with co-accused



Prince Kumar at Mumbai and it is in process to recover the victim and also to arrest the main co-accused Prince Kumar. A letter of said effect dated 16.09.2025 was submitted across the board by learned APP, which was taken on record.

7. Considering the aforesaid factual submissions and by taking note of fact as the thrust of allegation *qua* kidnapping is available against co-accused Prince Kumar, coupled with the fact that investigation of this case is already completed, where petitioner being a man of clean antecedent, remains in custody since 05.09.2024, accordingly, petitioner above named, is directed to be released on bail in connection with Alinagar P.S. Case No. 54/2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Benipur, Darbhanga/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

8. The presence of I.O. of this case is dispensed with.



(Chandra Shekhar Jha, J)

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